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**SUPREME COURT  
OF THE  
STATE OF CONNECTICUT**

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**S.C. 20907, S.C. 20908**

**ROBERTO ALVES  
Plaintiff - Appellee**

**v.**

**JANICE GIEGLER,  
TOWN CLERK FOR THE CITY OF DANBURY, ET AL.  
Defendant – Appellant**

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**BRIEF OF THE DEFENDANT-APPELLANT  
JANICE GIEGLER,  
TOWN CLERK FOR THE CITY OF DANBURY**

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**1. STATEMENT OF CERTIFIED ISSUES**

1. Whether the defendant Janice Giegler, as Town Clerk for the City of Danbury, exceeded her statutory authority by failing to file with the Secretary of the State pursuant to General Statutes § 9-461 the slate of candidates approved at the Independent Party of Danbury's August 11, 2023 caucus.
2. Whether the defendant Janice Giegler, as Town Clerk for the City of Danbury, improperly filed with the Secretary of the State pursuant to General Statutes § 9-461 the slate of candidates approved at the Independent Party of Danbury's August 21, 2023 caucus on the ground that the filing with the Danbury Town Clerk's Office failed to comply with General Statutes § 9-452 because it was not certified.

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### **3. NATURE OF PROCEEDINGS**

This case is about what a town clerk should do when she receives two submissions of endorsements from a minor party, only one of which is valid and complies with Chapter 153 (Nominations and Political Parties) of the Connecticut General Statutes. Presented with this situation, Janice Giegler, the Town Clerk for the City of Danbury, filed with the Secretary of the State for inclusion on the 2023 election ballot, the valid list of nominated candidates that was submitted to her office by Veasna Roen, Chairman of the Independent Party of Danbury. The plaintiff, Roberto Alves, a candidate for mayor in the 2023 Danbury municipal election who appears on both the Democratic Party and Working Families Party lines of the ballot, claims that the mere submission of two slates bearing the Independent Party moniker, regardless of actual validity, precluded the Town Clerk from filing any of the Independent Party's nominations, effectively eliminating the party from the ballot. He then filed this election lawsuit under General Statutes §§ 9-328 (complaints in election of municipal officers) and 9-329b (removal of candidates from the ballot).<sup>1</sup>

Alves claims to be a “candidate” aggrieved by a “ruling of an election official.” He claims that the Town Clerk committed legal error when, on September 18, 2023, she filed the names of the candidates nominated for public office by the Independent Party of Danbury at its August 21, 2023 caucus, which were submitted to her office by its chairman, with the Secretary of the State. The plaintiff filed this action on September 27, 2023, seeking the removal of all candidates

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<sup>1</sup> The original suit was filed under General Statutes § 9-328 on September 27, 2023. It was subsequently amended on October 4, 2023 to include a citation to General Statutes § 9-329b.

listed on the Independent Party line of the ballot for the 2023 Danbury municipal election.<sup>2</sup>

The trial court (*Medina, J.*) held hearings on October 3, 4, and 5, 2023. The parties submitted simultaneous post-trial briefs on the morning of October 10<sup>th</sup> with oral argument on October 11<sup>th</sup>. On October 12<sup>th</sup>, the court issued an order requiring the Town Clerk to remove forty-three (43) of the forty-seven (47) candidates nominated by the Independent Party of Danbury at the August 21<sup>st</sup> caucus from the Independent Party line of the ballot. On October 16<sup>th</sup>, the trial court issued a memorandum of decision in which it determined that both slates were invalid under state law.<sup>3</sup>

These appeals followed pursuant to General Statutes § 9-325.<sup>4</sup>

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<sup>2</sup> The plaintiff filed this lawsuit against the following defendants: Janice Giegler, in her official capacity as the Town Clerk for the City of Danbury; Veasna Roen, in his capacity as the Chairman of the Independent Party of Danbury; Dean Esposito, in his capacity as a candidate for mayor in the 2023 Danbury municipal election; and Stephanie Thomas, in her official capacity as the Secretary of the State. Thomas was dismissed from the case as a result of a stipulation between her and the plaintiff. Esposito did not appear or participate in this case.

<sup>3</sup> The logical inconsistencies in the trial court's analysis are highlighted by its conclusion that four candidates should appear on the Independent Party line after it concluded that all of the nominations made by the Independent Party were invalid.

<sup>4</sup> The defendant Town Clerk filed a General Statutes § 9-325 request for Supreme Court review immediately following issuance of the trial court's order on October 12, 2023, asking that its forthcoming decision

On October 17, 2023, this Court issued an expedited briefing and argument schedule and certified two questions for review:

Whether the defendant Janice Giegler, as Town Clerk for the City of Danbury, exceeded her statutory authority by failing to file with the Secretary of the State pursuant to General Statutes § 9-461 the slate of candidates approved at the Independent Party of Danbury's August 11, 2023 caucus.<sup>5</sup>

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be transmitted to the Chief Justice in accordance with the statute. The Town Clerk also filed an appeal on October 13, 2023, because the trial court's order satisfied the second prong of *State v. Curcio*, 191 Conn. 27, 30-31 (1983), in which the Town Clerk filed with this Court a motion for expedited briefing and argument. A separate appeal was filed by defendant Veasna Roen, Chairman of the Independent Party of Danbury, on October 13<sup>th</sup>. The trial court issued its memorandum of decision on October 16<sup>th</sup> and, pursuant to the statute, transmitted it to the Chief Justice as requested by the Town Clerk. Thereafter, defendant Rouen and the plaintiff both filed their own General Statutes § 9-325 requests with the trial court. The Town Clerk and Rouen amended their appeals pursuant to Practice Book § 61-9, and the plaintiff filed cross-appeals in both dockets. This Court consolidated all of these appeals for briefing and argument in its October 17, 2023 order.

<sup>5</sup> The trial court referred to this as the "Alves slate." Although this would probably be better described as the "Chan slate," based on the presiding chair who attested to the nominations, to avoid confusion, this brief will also refer to it as the Alves slate.

Whether the defendant Janice Giegler, as Town Clerk for the City of Danbury, improperly filed with the Secretary of the State pursuant to General Statutes § 9-461 the slate of candidates approved at the Independent Party of Danbury's August 21, 2023 caucus on the ground that the filing with the Danbury Town Clerk's Office failed to comply with General Statutes § 9-452 because it was not certified.<sup>6</sup>

Supreme Court Order dated 10/17/23 (footnotes added.)

#### **4. STATEMENT OF FACTS**

The defendant, Janice Giegler, is the Town Clerk for the City of Danbury. T.10/5/23 at 4. She has held that position for eight years spanning approximately twelve elections. Id. at 4-5. Based on her role with Danbury elections, Giegler is familiar with the Independent Party of Danbury. T.10/5/23 at 5. It is one of three political parties, along with the Republican Party and the Democratic Party, for which a file is maintained in the Town Clerk's office. T.10/5/23 at 5-6. That file also includes the bylaws of the Independent Party of Danbury. T.10/5/23 at 6; Pl. Ex. 3 (Independent Party Bylaws).

Pursuant to General Statutes § 9-374, the party rules were required to be filed with the Town Clerk in order for the minor party to have nominating privileges. Before a minor party can make nominations for a local election, General Statutes § 9-452a<sup>7</sup> requires

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<sup>6</sup> The trial court referred to this as the "Esposito slate." Again, although this would probably be better described as the "Rouen slate," based on the presiding chair who attested to the nominations, for consistency, this brief will also refer to it as the Esposito slate.

<sup>7</sup> General Statutes § 9-452a states: "Not later than five days before a minor party holds a party meeting to nominate a candidate for public

that the party give “written notice of the date, time, location and purpose of the meeting to, in the case of a municipal office, the town clerk of the municipality served by such office...” The Town Clerk maintains an election file for the Independent Party of Danbury relative to the 2023 election. T.10/5/23 at 6. That file contains the following relevant documents:

(1) A document received by the Town Clerk on **August 15, 2023** stating the date, time, location, and purpose of the Independent Party of Danbury’s **August 21, 2023**, meeting. Def. Ex. C. The document is on “Independent of Party of Danbury Town Committee” letterhead, addressed to the “Office of the Town Clerk,” and sent by “Veasna Roeun, Chairman, Independent Party of Danbury Town Committee.” The documents states:

August 15, 2023

To Office of the Town Clerk,

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office, the presiding officer of such meeting shall give written notice of the date, time, location and purpose of the meeting to, in the case of a municipal office, the town clerk of the municipality served by such office, or in the case of a state office or district office, the Secretary of the State. Concomitantly, the presiding officer of such meeting shall cause the written notice of such meeting to be published in a newspaper with a general circulation in the applicable town for such office. As used in this section, the terms “minor party”, “state office”, “district office” and “municipal office” have the meanings assigned to such terms in section 9-372.”

As Chairman of the Independent Party of Danbury Town Committee, also known as Independent Party of CT State Central (IIPCtSC) and Independent Party of Danbury, I hereby formally and properly announce our party's caucus **to nominate a slate of candidates** on the Independent line for the 2023 Danbury municipal election.

The Independent Party of Danbury Town Committee will hold its caucus on **Monday August 21, 2023 at 630PM**. The location shall be inside the meeting room area of the **Maron Hotel** at 42 Lake Avenue Extension, Danbury, CT 06811.

If there are any questions or concerns, please contact me.

Respectfully,

Veasna Roeun  
Chairman, Independent Party of Danbury Town  
Committee

(Emphasis added.) Def. Ex. C.<sup>8</sup> As noted by the emphasized text, the document provides the Office of Town Clerk with “written notice of the

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<sup>8</sup> Defendant's Exhibit C was certified by Assistant Town Clerk Lisa M. Todman as a document on file in the Office of the Town Clerk of the City of Danbury. Defendant Exhibit A (8/23 submission of Slate B), Defendant Exhibit B (8/17 submission of Slate A), Defendant Exhibit D (Minutes of 8/11 Independent Party meeting), Defendant Exhibit F (8/4 newspaper notice), and Defendant Exhibit G (8/16 newspaper notice)

date, time, location and purpose” of the August 21, 2023 meeting. In addition, it was submitted to the Town Clerk by the party’s chairman.<sup>9</sup>

(2) A document received by the Town Clerk on **August 14, 2023**, purporting to be minutes of a meeting of the Independent Party of Danbury that had been held on August 11, 2023. Def. Ex. D. The minutes state that a meeting was called to order at 6:42 pm and adjourned at 6:46 pm by unanimous decision of the Executive Board. Id.

(3) A document dated **August 15, 2023** and received by the Town Clerk on **August 17, 2023**, purporting to certify party nominations for municipal office that were made on August 11, 2023. Def. Ex. B (Alves slate).<sup>10</sup> The document is signed by a “Justin Chan” who is identified as “Caucus Chair.” Id.

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were similarly certified as documents maintained in the Town Clerk’s election file. T.10/5/23 at 8-12.

<sup>9</sup> There is no dispute that Veasna Roeun is the Chairman of the Independent Party of Danbury. Indeed, the plaintiff concedes this fact in his complaint. Complaint, ¶ 4 (“Veasna Rouen is the Chairperson of the Independent Party of Danbury.”).

<sup>10</sup> The Town Clerk’s testimony was that Defendant’s Exhibit B was submitted to her office for a slate of candidates that were purportedly nominated at the August 11, 2023 meeting of the Independent Party of Danbury, but was immediately deemed to be invalid because, based on filings in the Clerk’s file, it was clear that the nominating meeting had not yet occurred. T.10/5/23 at 15-16, 45-46; Def. Ex’s A, C, D. For this reason, the Town Clerk was reticent to receive a filing she believed to



(4) A document dated August 22, 2023, and received by the Town Clerk on **August 23, 2023** submitting candidates for the November 7, 2023 municipal election that had been endorsed at the August 21, 2023 nomination meeting. Def. Ex. A (Esposito slate). The document states:

August 22, 2023

To the Office of the Town Clerk,

As Chairman of the Independent Party of Danbury, I hereby submit the Party's official endorsements of candidates for the November 7<sup>th</sup>, 2023 municipal elections. The nomination meeting was conducted on August 21<sup>st</sup>, 2023 as advertised in the Danbury News-Times.

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be invalid, but, as the keeper of records, she did stamp such filing into the office for receipt on August 17, 2023. Def. Ex. B; T.10/5/23 at 38. While the Town Clerk's Office stamped the submission as "received," it did not initial the August 17 filing, a longstanding practice of the Danbury Town Clerk's Office which confirms the validity of documents received by the Town Clerk's Office. T.10/5/23 at 33. Indeed, the Town Clerk's stamping of an invalidly submitted document does not render the document valid. *See Tilden v. Paramount Finance Co.*, 111 Conn. 504 (1930) ("The attorney for the plaintiff was without authority to file the certificate, since it was unauthorized by our statutory procedure. The town clerk was also without authority to file this paper, signed as it was by the plaintiff's attorney who was without authority to sign it.").

The Independent Party of Danbury is aware of a submission of an unofficial slate, which was never recognized or approved by the Executive Board, and out of caution, has been vetoed and deemed invalid in accordance with the rules of the Independent Party of Danbury.

Respectfully,

Veasna Roeun  
Chairman, Independent Party of Danbury Town  
Committee

Def. Ex. A. The document then contains a list of candidates' statement of consent. Id. It is signed on the last page by Veasna Roeun, as "Chairman" of the "Independent Party of Danbury" and Jennifer Dorin, as "Secretary" of the "Independent Party of Danbury." Id.

The Town Clerk also has on file a party committee registration form that was filed by the Independent Party of Danbury with the State Elections Enforcement Commission on July 20, 2023. Def. Ex. H. The document identifies the officers of the Independent Party of Danbury – namely Veasna Roeun (Chairperson); Jennifer Dorin (Treasurer); and Daniel Hatstat (Deputy Treasurer). Id; T.10/5/23 at 12-13.

On September 18, 2023, the Town Clerk sent a list of candidates nominated for office for the 2023 Danbury municipal election, including nominations made by the Independent Party of Danbury, to the Secretary of the State. T.10/5/23 at 44, 46; Pl. Ex. 7 (email dated 9/18/23 from Town Clerk to Secretary of the State). The endorsement list

included only those names submitted to the Town Clerk in the Independent Party's August 23, 2023 submission; Def. Ex. A (Esposito slate); because it was the only valid submission the Town Clerk received. T.10/5/23 at 19, 46. The Town Clerk testified that she has never submitted documents that she considered to be invalid to the Secretary of the State's office. T. 10/5/23 at 19.

The current ballot lists the candidates nominated at the Independent Party of Danbury's August 21, 2023 caucus (Esposito slate) on the Independent Party line.<sup>11</sup> Def. Ex. E; T.10/5/23 at 20-21.

On September 27, 2023, the plaintiff, Roberto Alves, filed the instant lawsuit under General Statutes § 9-328. The complaint seeks to remove from the ballot those candidates currently listed on the Independent Party line. Complaint, ¶¶ 23, 24. Alves appears as a candidate for Mayor on both the Democratic Party line and the Working Families Party line. Def. Ex. E.

## **5. LEGAL ARGUMENT**

General Statutes § 9-461 ***mandates*** that the Town Clerk "shall" file with Secretary of the State a list of those candidates who have been

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<sup>11</sup> The plaintiff and the trial court made much of the fact that Giegler is also a candidate for re-election, with the former alleging an actual conflict of interest. The Town Clerk is up for election every two years in Danbury and eliminating her role in the election due to that candidacy would be impractical. The legislature recognized this fact in General Statutes § 9-258 which states, in relevant part: "A known candidate for any office shall not serve as an election official on election day or serve at the polls in any capacity, except that a municipal clerk or a registrar of voters, who is a candidate for the same office, may perform his or her official duties."

nominated “in accordance with the provisions” of Chapter 153 of the General Statutes. Because the August 23 submission; Def. Ex. A (Esposito slate); was the only list of candidates that were nominated in accordance with General Statutes §§ 9-451; 9-452; and 9-452a, the Town Clerk was statutorily required to submit that list to the Secretary of the State. By doing so on September 18, 2023, she fulfilled her statutory obligations. This Court should affirm the Town Clerk’s actions as a faithful execution of her electoral duties and allow the 2023 Danbury municipal election to proceed with all forty-seven candidates nominated by the Independent Party at its August 21<sup>st</sup> caucus appearing on the Independent Party line of the ballot.

**I. General Statutes § 9-461 Prohibited the Town Clerk From Submitting to the Secretary of the State the Slate of Independent Party Candidates Received by Her Office on August 17, 2023 (Alves slate)**

**A. Standard of Review**

This case presents questions of statutory construction and, therefore, this Court’s review is plenary:

In conducting this analysis, we are guided by the well-established principle that issues of statutory construction raise questions of law, over which we exercise plenary review. ... It is well settled that we follow the plain meaning rule in General Statutes § 1-2z in construing statutes to ascertain and give effect to the apparent intent of the legislature.... In interpreting statutes, words and phrases not otherwise defined by the statutory scheme are construed according to their commonly approved

usage ....’ General Statutes § 1-1 (a) .... In determining the commonly approved usage of the statutory language at issue, we consult dictionary definitions.

(Internal alterations and citations omitted.) *Costanzo v. Town of Plainfield*, 344 Conn. 86, 100 (2022). Additionally, the application of a statute to a particular factual scenario presents a legal question over which this Court’s review is plenary. *See Colangelo v. Heckelman*, 279 Conn. 177, 182 (2006).

The rules of statutory construction are governed by General Statutes § 1-2z:

The meaning of a statute shall, in the first instance, be ascertained from the text of the statute itself and its relationship to other statutes. If, after examining such text and considering such relationship, the meaning of such text is plain and unambiguous and does not yield absurd or unworkable results, extratextual evidence of the meaning of the statute shall not be considered.

Pursuant to § 1-2z, the Court must first determine whether the text is “plain and unambiguous.” To make this determination, it must consider the text of the statute itself and its relationship to other statutes. “If, after examining such text and considering such relationship, the meaning of such text is plain and unambiguous and does not yield absurd or unworkable results, extratextual evidence of the meaning of the statute shall not be considered...” *State v. Miscellaneous Fireworks*, 132 Conn. App. 679, 684 (2011). Moreover,

it is well settled that the legislature is always presumed to have created a harmonious and consistent body of law .... [T]his tenet of statutory construction ... requires [this court] to read statutes together when they relate to the same subject matter .... Accordingly, [i]n determining the

meaning of a statute ... we look not only at the provision at issue, but also to the broader statutory scheme to ensure the coherency of our construction.

*Town of Ledyard v. WMS Gaming, Inc.*, 338 Conn. 687, 700 (2021).

Additionally, it is a:

basic tenet of statutory construction that the legislature [does] not intend to enact meaningless provisions. ... [I]n construing statutes, we presume that there is a purpose behind every sentence, clause, or phrase used in an act and that no part of a statute is superfluous. ... Because [e]very word and phrase [of a statute] is presumed to have meaning ... [a statute] must be construed, if possible, such that no clause, sentence or word shall be superfluous, void or insignificant.

*State v. Brown*, 345 Conn. 354, 379 (2022).

## **B. General Statutes § 9-461 Allows the Town Clerk to Submit Only Those Nominations to the Secretary of the State that Comply with Chapter 153 of the General Statutes**

General Statutes § 9-461 requires that the Town Clerk send a list of properly nominated candidates to the Secretary of the State by September 19, 2023.<sup>12</sup> The Town Clerk complied with this statutory obligation by sending a list of nominated candidates, including those nominated by the Independent Party of Danbury, to the Secretary of the State on September 18, 2023. T.10/5/23 at 44, 46; Pl. Ex. 7.

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<sup>12</sup> The statute requires submission not later than seven days following the primary. The primary date for the 2023 election was September 12, 2023.

The statute provides, in relevant part:

Not later than the seventh day following the date set for the primary for nomination at any election at which a municipal office is to be filled, **the clerk of the municipality** in which such election is to be held **shall file** with the Secretary of the State **a list of the candidates of each party for the municipal offices** to be filled at such election *nominated in accordance with the provisions of this chapter. ....*

(Emphasis added.) General Statutes § 9-461.<sup>13</sup>

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<sup>13</sup> The statute reads in full:

“Not later than the seventh day following the date set for the primary for nomination at any election at which a municipal office is to be filled, the clerk of the municipality in which such election is to be held shall file with the Secretary of the State a list of the candidates of each party for the municipal offices to be filled at such election nominated in accordance with the provisions of this chapter. Such list shall be on a form provided by the Secretary of the State and shall indicate the name and address of each candidate and the office and term for which each candidate has been nominated, and, except for major party candidates for the municipal offices of state senator or state representative, shall contain the certification of such municipal clerk that he has compared the name of each such candidate with the candidate's name as the candidate authorizes the candidate's name to appear on the ballot, pursuant to the certificate filed in accordance with subsection (c) of section 9-391 or the statement of consent filed in accordance with section 9-409, as applicable, and has verified and corrected the same. ... Such list shall include a statement of the total number of candidates for which each elector may vote for each office and term at such election as set forth in the list or amendment or

Under General Statutes § 9-461, the Town Clerk could only submit those nominations that were made in compliance with Chapter 153 (“Nominations and Political Parties”) to the Secretary of the State. The plain text of the statute mandates that the Town Clerk only submit those nominations that were made “in accordance with the provisions of [Chapter 153].” As discussed in Section 4.I.C. of this brief, *infra*, the submission of endorsed candidates made to the Town Clerk on August 17<sup>th</sup>; Def.Ex. B (Alves slate); did not comply with Chapter 153 of the General Statutes. As discussed in Section 4.II. of this brief, *infra*, the submission of endorsed candidates made to the Town Clerk on August 23<sup>rd</sup>; Def.Ex. A (Esposito slate); did comply with Chapter 153 of the General Statutes. Thus, the Town Clerk was prohibited from filing the names of the candidates submitted to her office on August 17<sup>th</sup> (Alves Slate) and required to file the names of the candidates submitted to her office on August 23<sup>rd</sup> (Esposito Slate).

**C. The Nominations Purportedly Made On Defendant’s Exhibit B (Alves slate) Were Not Made In Compliance With General Statutes § 9-452a While the Nominations Made On Defendant’s Exhibit A (Esposito slate) Did Comply with the Statute**

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supplement thereto filed with the Secretary of the State under section 9-254. After the filing of such list of candidates, the clerk of the municipality shall forthwith notify the Secretary of the State of any errors in such list or of any changes in such list provided for in section 9-329a or 9-460.”



As discussed above, pursuant to General Statutes § 9-461, only those nominations made in accordance with Chapter 153 of the General Statutes could be submitted by the Town Clerk to the Secretary of the State. The nominations presented in the August 17<sup>th</sup> submission of candidates (Alaves slate) were not made in accordance with General Statutes § 9-452a. Therefore, the Town Clerk was prohibited by General Statutes § 9-461 from submitting them to the Secretary of the State.

Compliance with General Statutes § 9-452a is the most straightforward way to resolve this case.<sup>14</sup> General Statutes § 9-452a provides two requirements before a minor party may nominate candidates for public office: (1) written notice to the Town Clerk; and (2) notice to the public through publication in a newspaper.

**1. Defendant's Exhibit A (Esposito slate) complied with General Statutes § 9-452a**

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<sup>14</sup> The statute states in full: "Notice of party meetings. Not later than five days before a minor party holds a party meeting to nominate a candidate for public office, the presiding officer of such meeting shall give written notice of the date, time, location and purpose of the meeting to, in the case of a municipal office, the town clerk of the municipality served by such office, or in the case of a state office or district office, the Secretary of the State. Concomitantly, the presiding officer of such meeting shall cause the written notice of such meeting to be published in a newspaper with a general circulation in the applicable town for such office. As used in this section, the terms "minor party", "state office", "district office" and "municipal office" have the meanings assigned to such terms in section 9-372"

General Statutes § 9-452a states that the “presiding officer of [the nominating] meeting **shall give written notice** of the date, time location and purpose of the meeting to, in the case of a municipal office, the town clerk of the municipality served by such office...” (Emphasis added.) The only document satisfying this statutory notice that is contained in the Town Clerk’s file is Defendant’s Exhibit C. Defendant’s Exhibit C, dated August 15, 2023, is correspondence sent to the Town Clerk on “Independent Party of Danbury Town Committee” letterhead. It was sent by Veasna Roeun, who is identified as the “Chairman” of the Independent Party of Danbury Town Committee.” It announces that the party had scheduled a caucus for Monday, August 21, 2023 (date), at 6:30 pm (time), at the “meeting room area of the Maron Hotel” (location), in order to “nominate a slate of candidates on the Independent Party line for the 2023 Danbury municipal election” (purpose).

The statute further requires that the notice of the meeting must be given to the Town Clerk at least five days before the meeting. This written notice is specifically addressed to the “Office of the Town Clerk,” and was received by the Town Clerk on August 15, 2023, six days before the August 21<sup>st</sup> meeting. It complies in every way with General Statutes § 9-452a. Moreover, there is no such notice for any other meeting to nominate candidates contained in the Town Clerk’s file.<sup>15</sup> Accordingly, only the nominations made at a meeting noticed in Defendant’s Exhibit C could comply with the statutory requirements.

The statute also provides a second and independent prerequisite to the nomination of candidates by a minor party: “Concomitantly, the

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<sup>15</sup> In addition to the Town Clerk, Chairman Roeun, Chan, Gretchen Lombardi, and the plaintiff all testified at trial. None of these witnesses claimed that such statutory notice was given to the Town Clerk in advance of the August 11<sup>th</sup> meeting.

presiding officer of such meeting shall cause the written notice of such meeting to be published in a newspaper with a general circulation in the applicable town for such office.”

“Concomitantly” is not defined in the statute. Dictionaries define it to mean: “existing or occurring with something else, as a related feature or circumstance; accompanying;” Dictionary.com, available at <https://www.dictionary.com/browse/concomitant> (last visited October 19, 2023); “existing or occurring at the same time; concurrent”; Id; “something that accompanies or is collaterally connected with something else;” Merriam-Webster, available at <https://www.merriam-webster.com/dictionary/concomitant> (last visited October 19, 2023); “something that happens at the same time as another thing and is connected with it”; Collins Dictionary, available at <https://www.collinsdictionary.com/us/dictionary/english/concomitant> (last visited October 19, 2023).

Notice of the August 21, 2023 meeting was published in the News-Times, on August 16, 2023. Def. Ex. G. The statutory notice was provided to the Town Clerk on August 15, 2023, and there was separate notice of the meeting published the next day in the newspaper on August 16, 2023. It is reasonable to infer from the evidence that the notice for publication to the newspaper was sent concomitantly with the statutory written notice that was presented to the Town Clerk by the party chair, Veasna Roeun. Accordingly, the statutory notice prerequisites set forth in General Statutes § 9-452a were satisfied only for the August 21, 2023 endorsement meeting (Esposito slate).

**2. Defendant’s Exhibit B (Alves slate) did not comply with General Statutes § 9-452a**

There are three reasons why the nominations purportedly made at the August 11 meeting (Alves slate) did not comply with General Statutes § 9-452a: (1) there is absolutely no evidence of statutory written notice of the meeting being made to the Town Clerk, and certainly not at least five days before the meeting; (2) constructive notice would not satisfy the statutory written notice requirement; and (3) there is no evidence that Chan, who alleges to be the presiding officer of the August 11 meeting based on Defendant's Exhibit B, provided written notice to the Town Clerk or caused notice to be published in the newspaper.

As discussed above, General Statutes § 9-452a states that the "presiding officer of [the nominating] meeting **shall give written notice** of the date, time location and purpose of the meeting to, in the case of a municipal office, the town clerk of the municipality served by such office..." (Emphasis added.) There is no such written notice of the August 11 meeting in the Town Clerk's election file. The first written notice of a meeting of the Independent Party of Danbury is the August 15 notice for the August 21<sup>st</sup> nominating caucus.

Notice of the August 11<sup>th</sup> meeting, which serves as the basis for the Alves slate, was published in the News-Times on August 4, 2023. Def. Ex. F. However, there is no separate statutory notice of this meeting contained in the Town Clerk's file. Moreover, there is no evidence as to: (1) when the newspaper notice was received by the Town Clerk; or (2) who, if anyone from outside the office, submitted the newspaper notice to the Town Clerk. As such, the newspaper notice cannot substitute for the statutory written notice.

Applying the rules of statutory construction, it is clear that General Statutes § 9-452a requires two separate notices: (1) a written notice to the town clerk; (2) publication of notice in a newspaper of general circulation. As noted above in the standard of review:

[It is a] basic tenet of statutory construction that the legislature does not intend to enact meaningless provisions. ... In construing statutes, we presume that there is a purpose behind every sentence, clause, or phrase used in an act and that no part of a statute is superfluous. ... Because every word and phrase of a statute is presumed to have meaning ... a statute must be construed, if possible, such that no clause, sentence or word shall be superfluous, void or insignificant.

*State v. Brown*, 345 Conn. at 379.

The requirement that the Town Clerk receive written notice must be treated as a separate and distinct notice requirement from the notice that needs to be published in the newspaper. Otherwise, having the two separate notice requirements would be meaningless.

It is also worth noting that these two notice requirements were not adopted at the same time. The first requirement, that written notice be provided to the municipal clerk at least five days before the caucus, was adopted in 1999. *See* Public Act 99-276, sec. 11. The second notice requirement, the publication in the newspaper of general circulation, was added in 2007. *See* Public Act 07-194. If the legislature had intended for the newspaper publication to satisfy both notice requirements, “it easily could have said so.” *State v. Ortiz*, 217 Conn. 648, 654 (1991). It did not.

Moreover, because the plain terms of the statute require “written notice” to the Town Clerk, “constructive notice” cannot satisfy the statute. Indeed, this Court has interpreted other statutes containing a “written notice” requirement to mean that constructive notice would not be sufficient. *See Chambers v. Electric Boat Co.*, 283 Conn. 840, 855 (2007) (discussing *Kuehl v. Z-Loda System Engineering, Inc.*, 265 Conn. 525, 532 (2003) and inapplicability of constructive

notice to written notice requirement in General Statutes § 31-294c(a)); *Guss v. Guss*, 1 Conn. App. 356, 361 n. 4 (1984) (discussing *Connolly v. Connolly*, 191 Conn. 468 (1983) and inapplicability of constructive notice to written notice requirement in General Statutes § 46b-86(b)). The plain language of the statute and the case law interpreting “written notice” requirements in our statutes make clear that alleged “constructive notice” cannot substitute for actual “written notice.”

Additionally, it cannot be presumed that Chan, who the plaintiff alleges was the “chair” of the August 11, 2023 meeting, was the person who caused notice of the meeting to be published in the newspaper. This is because, *inter alia*, the notice was published on August 6<sup>th</sup>, and the plaintiff’s own complaint alleges that Chan was not elected chair of the caucus until August 11<sup>th</sup>. See Complaint, ¶ 9 . The statute mandates that it be the presiding officer of the meeting who shall cause notice to be published in the newspaper.

Finally, as a matter of public policy, requiring that the Town Clerk’s office receive actual, written notice of a minor party’s nominating caucus makes sense. The statute requires that written notice be provided to the Town Clerk of the caucus at least five days before it is held. It further requires that the notice be provided by the presiding officer. These requirements protect the minor party from losing its ability to nominate candidates by the submission of other nominees by unauthorized individuals. Once the Town Clerk receives the written notice of the caucus from the presiding officer, the office becomes aware that: (1) a subsequent submission of nominees pursuant to General Statutes § 9-452 by the minor party is forthcoming; (2) the approximate time of when those nominations would be submitted; and (3) the person entitled to make the submission. Thus, individuals unaffiliated with the minor party cannot act to subvert the minor party’s ballot access and nominating rights.

**II. General Statutes § 9-461 Mandated that the Town Clerk Submit to the Secretary of the State the Slate of Independent Party Candidates Received by Her Office on August 23, 2023**

Having established that only the nominations of candidates in Defendant's Exhibit A (Esposito slate) complied with General Statutes § 9-452a, the question presented by this Court's second certified question is whether that submission was nonetheless invalid. The trial court concluded that the submission was invalid because it did not comply with the certification requirement in General Statutes § 9-452. But a review of the plain text of the statute, as well as supporting case law, shows that the submission did comply with the statute and was, indeed, valid. Accordingly, the Town Clerk was mandated by General Statutes § 9-461 to submit to the Secretary of the State those candidates nominated for office by the Independent Party in the August 23<sup>rd</sup> submission (Esposito slate).

**A. Defendant's Exhibit A (Esposito slate) Complies with General Statutes § 9-452 And Was, Therefore, the only Valid Slate Received by the Town Clerk**

General Statutes § 9-452 states in relevant part (emphasis added):

All minor parties nominating candidates for any elective office **shall make such nominations and *certify* and file a list of such nominations**, as required by this section, not later than the sixty-second day prior to the

day of the election at which such candidates are to be voted for.<sup>[16]</sup>

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<sup>16</sup> General Statutes § 9-452 reads in full:

Sec. 9-452. Time for making nominations. Certification. Late certification void. All minor parties nominating candidates for any elective office shall make such nominations and certify and file a list of such nominations, as required by this section, not later than the sixty-second day prior to the day of the election at which such candidates are to be voted for. A list of nominees in printed or typewritten form that includes each candidate's name as authorized by each candidate to appear on the ballot, the signature of each candidate, the full street address of each candidate and the title and district of the office for which each candidate is nominated shall be certified by the presiding officer of the committee, meeting or other authority making such nomination and shall be filed by such presiding officer with the Secretary of the State, in the case of any state, district or municipal office to be voted upon at a state election, or with the clerk of the municipality, in the case of any municipal office to be voted upon at a municipal election, not later than the sixty-second day prior to the day of the election. The registrars of voters of such municipality shall promptly verify and correct the names on any such list filed with him, or the names of nominees forwarded to the clerk of the municipality by the Secretary of the State, in accordance with the registry list of such municipality and endorse the same as having been so verified and corrected. For purposes of this section, a list of nominations shall be deemed to be filed when it is received by the Secretary of the State or clerk of the municipality, as appropriate. If such certificate of a party's nomination is not received by the Secretary of the State or clerk of the municipality, as appropriate, by such time, such certificate shall be



The trial court concluded that Defendant's Exhibit A (Esposito slate) failed to satisfy the "certify" requirement. A review of the plain meaning of the statute and the contents of the exhibit demonstrate that the trial court was wrong.

As discussed in the facts section, Defendant's Exhibit A is a document dated August 22, 2023, and received by the Town Clerk on August 23, 2023 submitting candidates for the November 7, 2023 municipal election that had been endorsed at the August 21, 2023 nomination meeting. Def. Ex. A (Esposito slate). The document states:

August 22, 2023

To the Office of the Town Clerk,

As Chairman of the Independent Party of Danbury, I hereby submit the Party's official endorsements of candidates for the November 7<sup>th</sup>, 2023 municipal elections. The nomination meeting was conducted on August 21<sup>st</sup>, 2023 as advertised in the Danbury News-Times.

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invalid and such party, for purposes of sections 9-460, 9-461 and 9-462, shall be deemed to have neither made nor certified any nomination of any candidate for such office. A candidacy for nomination by a minor party to a district or municipal office may be filed on behalf of any person whose name appears on the last-completed registry list of the district or municipality represented by such office, as the case may be. A candidacy for nomination by a minor party to a state office may be filed on behalf of any person whose name appears on the last-completed registry list of the state.

The Independent Party of Danbury is aware of a submission of an unofficial slate, which was never recognized or approved by the Executive Board, and out of caution, has been vetoed and deemed invalid in accordance with the rules of the Independent Party of Danbury.

Respectfully,

Veasna Roeun  
Chairman, Independent Party of Danbury Town  
Committee

Def. Ex. A. The document then contains a list of candidates' statement of consent. Id. It is signed on the last page by Veasna Roeun, as "Chairman" of the "Independent Party of Danbury" and Jennifer Dorin, as "Secretary" of the "Independent Party of Danbury." Id.

The trial court concluded that this submission did not satisfy the "certify" requirement, but did not attempt to define the term. Because "certify" is not defined in the statute, the Court should look to the dictionary to define term. See General Statutes § 1-1(a); *Costanzo v. Town of Plainfield*, 344 Conn. at 100.

Dictionaries define "certify" to mean: "to attest as certain; give reliable information of; confirm;" Dictionary.com, available at <https://www.dictionary.com/browse/certify> (last visited October 19, 2023); "to attest authoritatively: such as (a) confirm (b) **to present in a formal communication** (c) to attest as being true or represented or as meeting a standard; Merriam-Webster, available at <https://www.merriam-webster.com/dictionary/concomitant> (last visited

October 19, 2023) (emphasis added); “[i]f someone in an official position certifies something, they officially state that it is true”; Collins Dictionary, available at <https://www.collinsdictionary.com/us/dictionary/english/concomitant> (last visited October 19, 2023).

Here, Defendant’s Exhibit A is on the letterhead of the Independent Party of Danbury Town Committee. The communication is a formal communication to the Town Clerk. The author identifies himself as the Chairman of the Independent Party of Danbury, both in the introduction and in the signature block. He submits the party’s endorsements and attests that they were made at the meeting conducted on August 21, 2023. He again signs the list of endorsements at the end of the submission along with his title as Chairman of the Independent Party. These representations clearly satisfy the plain meaning of “certify” as defined in the dictionary. Roeun is representing as true to the Town Clerk, in in his official capacity as Chairman of the Independent Party, that these nominations were made at the party’s August 21 caucus.

Indeed, the Appellate Court has applied this same analysis in reaching a similar conclusion on the meaning of “certify.” In *Williams, Freedom of Information Commission*, 108 Conn. App. 471 (2008), the Appellate Court was confronted with determining the meaning of “certify” for purposes of the Freedom of Information Act. The Court afforded the term the plain meaning found in the dictionary:

We begin with the language of the statute. The act itself contains no specific definition of the term “certifying” as used therein. Unlike some other statutes; see, e.g., General Statutes §§ 7–23 (certification by town clerk) and 7–36 (certification by registrar of vital statistics) [ ] which we will discuss, the act does not prescribe any particular

form or content of a certification of records. Nonetheless, the act does refer to “any certified record” in a way that strongly suggests its general meaning as used therein. General Statutes § 1–210(a) provides in relevant part: “Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to ... receive a copy of such records in accordance with section 1–212.... *Any certified record hereunder attested as a true copy by the clerk, chief or deputy of such agency or by such other person designated or empowered by the law to so act*, shall be competent evidence in any court of this state of the facts contained therein....” (Emphasis added.) This use of the term “certified” suggests that **as long as an official with legal authority to do so attests, or states in writing**, that the records are true copies of the originals, he or she has issued a “certified record” properly under the act. Put another way, if such a record would be competent evidence in court under § 1–210, it stands to reason that it would also be considered a “certified” record under § 1–212. Indeed, § 1–210 specifically links such a record to those records to which one would be entitled under § 1–212. Furthermore, this general meaning is consistent with the most apt definition provided by the dictionary for the word “certify”: “To confirm formally as true, accurate, or genuine; testify to or vouch for in writing.” American Heritage Dictionary of the English Language (New College Ed.1981). Finally, the purposes of

the act, namely, to make public records available to the public, except when specifically exempted; see *Groton Police Dept. v. Freedom of Information Commission*, 104 Conn.App. 150, 155, 931 A.2d 989 (2007); and to do so without undue burden on the provider of the records, as we will discuss, are fully consistent with this simple, general meaning of the term “certifying.”...

(Italics emphasis in original; bold emphasis added.) *Williams v. Freedom of Info. Comm'n*, 108 Conn. App. at 480–81.

Similarly, in *City Lumber Co. of Bridgeport v. Borsuk*, 131 Conn. 640 (1945), this Court determined that the statutory requirement to “attest” did not require that the actual word “attest” be used in the document:

Coming to the specific instruments under consideration, it is apparent that neither is attested in the sense that this word precedes the signature of the indifferent person. To attest means to bear witness to... to affirm to be true or genuine... It is the act of signing under these circumstances rather than the addition of the word ‘attested’ that is important. We hold that the signatures of the indifferent persons attached to the quoted statements are sufficient affirmations of their genuineness to satisfy the statute. ...

(Internal alterations and citations omitted). *City Lumber Co. of Bridgeport v. Borsuk*, 131 Conn. at 646.

Finally, it is important to note that with respect to election statutes, the standard is “substantial compliance,” not “strict compliance.” See *In re Election of U.S. Representative for Second Cong. Dist.*, 231 Conn. 602, 651–53 (1994). This is because the election statutes should not be interpreted in a way that would result in the

“disfranchisement of voters” as the trial court has done here by eliminating a minor party’s choice of forty-three candidates from the ballot. As this Court explained in evaluating whether the town clerks use of a stamp satisfied the statutory “signature” requirement for purposes of the absentee voting laws:

The provisions of § 9–140c(a) regarding the date and time of the town clerk's receipt of an absentee ballot envelope, and the town clerk's signature, are mandatory because they are designed to mitigate the risk of fraud that is inherent in the absentee voting process. .. **That does not mean, however, that strict, as opposed to substantial, compliance with those provisions is required. Rather, there must be substantial compliance with the statutory requirements.** ..

(Emphasis added.) *Id.* at 651.

Contrary to the trial court’s holding, the absence of the word “certify” from Defendant’s Exhibit A did not in any way render it invalid under General Statutes § 9-452. The party’s chairman presented a formal communication to the Town Clerk attesting to the fact that the Independent Party nominated the candidates listed in Defendant’s Exhibit A at the August 21 meeting. He signs the document not once, but twice, putting his own name and attestation to that representation. By doing so, he certified to the Town Clerk that the list he was submitting contained the party’s nominees for the 2023 Danbury municipal election. The Esposito slate was validly submitted to the Town Clerk and she properly filed those nominations with the Secretary of the State.

**B. In the Alternative, if Both Slates Were Valid, the Town Clerk Was Still Mandated To File Defendant's Exhibit A (Esposito slate) With The Secretary of the State Pursuant to General Statutes § 9-387**

As set forth above, the Town Clerk was properly exercising her statutory obligations when she submitted the candidates listed on Defendant's Exhibit A (Esposito slate) to the Secretary of the State's office as the Independent Party of Danbury's candidates for municipal office. To the extent that this Court determines that the submissions in both Defendant's Exhibit A (Esposito slate) and Defendant's Exhibit B (Alves slate) were valid, the Town Clerk submits that her filing of the names contained in Defendant's Exhibit A was still proper.

The Town Clerk's position does not rely on the events that allegedly occurred at either the August 11<sup>th</sup> or the August 21<sup>st</sup> meetings.<sup>17</sup> Rather, she relies on the documents contained in the official files of the Town Clerk. Thus, in addition to the reasons that the Town Clerk determined that Defendant's Exhibit A (Esposito slate) was the only valid submission of candidates as a matter of law set forth above, the following facts further support that determination.

The August 23, 2023 submission from Chairman Roeun contains the following statement:

The Independent Party of Danbury is aware of a submission of an unofficial slate, which was never recognized or approved by the Executive Board, and out of

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<sup>17</sup> This issue may be addressed by the brief of Chairman Roeun and the Independent Party, but it is beyond the scope of the Town Clerk's position in this case.

caution has been **vetoed** and deemed invalid in accordance with the rules of the Independent Party of Danbury. (Emphasis added.) Def. Ex. A. Indeed, the Independent Party of Danbury’s bylaws; Pl. Ex. 3; which are on file with the Town Clerk, specifically provide that “nominations shall be subject to a **veto** by at least[t] a two-thirds vote of the IPCtSC.” (emphasis added).

General Statutes § 9-451 provides that “[t] nomination by a minor party of any candidate for office... may be made in the manner prescribed in the rules of such party...” General Statutes § 9-387 provides:

The state rules of each party shall prescribe the manner in which any dispute as to the endorsement by such party of a candidate for state, district or municipal office or for town committee member, or as to the selection by such party of a delegate to a convention, including conflicting claims to such endorsement or selection, shall be resolved.

Thus, to the extent that the Town Clerk was presented with two valid slates of nominations (and, again, for the reasons set forth above she was not), when the Chairman of the Independent Party specifically informed her office that any other slate had been formally vetoed in accordance with the party’s rules, the Town Clerk was faced with only one valid set of endorsements.<sup>18</sup>

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<sup>18</sup> The Independent Party of Danbury’s internal resolution of any endorsement dispute is not subject to judicial review unless it was “demonstrably unlawful or patently irrational. *See Chiaia-Logie v. Republican State Central Committee*, No. CV-22-5048056-S, 2022 WL 17592285, at \*4 (Dec. 8, 2022) (*Stevens, J.*). The fact that the Independent Party of Danbury has a mechanism to address disputed nominations by veto power of its executive board is not irrational. Indeed, if it did not have such a process, it would be faced with the



Indeed, the meeting minutes from the August 11, 2023 meeting, which were filed with the Town Clerk on August 14, expressly identify three members of the Executive Board – Roeun, Dorin, and Hatstat. Def. Ex. D. Those three names are also listed as the official officers of the Independent Party of Danbury in its 2023 registration filing with the State Elections Enforcement Commission, a document that is also contained in the Town Clerk’s file. Def. Ex. H. Given that two of these members were signatories to the August 23, 2023 submission (Roeun and Dorin), and Chairman Roeun’s communication that the August 23 submission was proper and that any other submissions were either improper or had been vetoed, the Town Clerk could only conclude that the August 23 submission was the only valid one.

Under these circumstances, it would have been a violation of her statutory obligations for the Town Clerk not to submit the names of the candidates endorsed in the August 23<sup>rd</sup> submission (Esposito slate). Accordingly, she properly submitted the names contained in the August 23, 2023 submission to the Secretary of the State for inclusion on the 2023 Danbury municipal election ballot.<sup>19</sup>

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potential loss of its ability to make nominations in this and in future elections, as will be the result in this case if the trial court’s decision were to stand or the plaintiff’s claim were to succeed.

<sup>19</sup> The Town Clerk’s decision also accords with the goal of interpreting our election laws in a way that will avoid disenfranchising voters. *See Cohen v. Rossi*, No. CV-21-6119017-S, 2022 WL 2298418, at \*22 (June 24, 2022) (*Wilson, J.*), *aff’d*, 346 Conn. 642 (2023). It was the understanding of the Town Clerk that had she not submitted a list of nominees for the Independent Party of Danbury, the party (and all of its registered members) would lose their ballot line. T.10/5/23 at 22.

## **6. CONCLUSION**

For any and all of the reasons set forth herein, this Court should conclude that the August 17 submission (Alves slate) was invalid and that the August 23 submission (Esposito slate) was valid. The Court should further conclude that the Town Clerk faithfully executed her electoral duties by filing with the Secretary of the State those nominations that were made in conformity with Chapter 153 of the General Statutes, as required of her by General Statutes § 9-461. Finally, the Court should allow the 2023 Danbury municipal election to proceed with all forty-seven of the candidates nominated for office by the Independent Party of Danbury at its August 21 meeting appearing on the Independent Party line of the ballot.

Respectfully submitted,

DEFENDANT – APPELLANT  
JANICE GIEGLER, TOWN CLERK FOR  
THE CITY OF DANBURY

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## **7. Certification Of Compliance And Service**

The undersigned counsel of record hereby certifies, pursuant to Connecticut Rule of Appellate Procedure § 67-2A, that:

1. The electronically submitted brief and the filed paper brief have been redacted or do not contain any names or other personal identifying information that is prohibited from disclosure by rule, statute, court order, or caselaw; and

2. The electronically submitted brief has been delivered electronically to each counsel of record in compliance with Practice Book § 62-7A and a paper copy provided to any counsel of record exempt from electronic filing;

3. The briefs being filed with the Clerk are true copies of the brief that were submitted electronically; and

4. The brief complies with all provisions of Practice Book § 67-2A; and

5. This brief complies with the word count limitations because the brief contains 9,960 words; and

6. No deviations from the rules were requested; and

7. This electronic brief was filed in compliance with the guidelines.

BY: /s/ Proloy K. Das

Proloy K. Das



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**CITY OF DANBURY**  
**OFFICE OF THE TOWN CLERK**  
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**JANICE R. GIEGLER**  
**TOWN CLERK**

(203) 797-4531 PHONE  
(203) 796-8087 FAX

October 4, 2023

To Whom It May Concern:

I hereby certify that this is a true copy of a document which is on file in the Office of the Town Clerk of the City of Danbury.

Sincerely,

*Lisa M. Todman, CCTC*

Lisa M. Todman, CCTC  
Assistant Town Clerk

Independent Party of Danbury Town Committee

P.O. Box 2702  
Danbury, CT 06813

Office of the Town Clerk  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 066810

August 22, 2023

To Office of the Town Clerk,

As Chairman of the Independent Party of Danbury, I hereby submit the Party's official endorsements of candidates for the November 7<sup>th</sup>, 2023 municipal elections. The nomination meeting was conducted on August 21st, 2023 as advertised in the Danbury News-Times.

The Independent Party of Danbury is aware of a submission of an unofficial slate, which was never recognized or approved by the Executive Board, and out of caution, has been vetoed and deemed invalid in accordance with the rules of the Independent Party of Danbury.

Respectfully,



Veasna Roeun  
Chairman, Independent Party of Danbury Town Committee

RECEIVED FOR RECORD  
DANBURY TOWN CLERK

AUG 23 2023



DEFENDANT'S EXHIBIT	
Date	<div><input type="checkbox"/> FULL <input type="checkbox"/> ID</div>
Docket #	<div>A</div> <div>Initials</div>



OFFICE	NAME	ADDRESS	CITY	STATE	ZIP	SIG
MAYOR	Dean E. Esposito	7 Hospital Ave	Danbury	CT	06810	
TREASURER	Daniel P. Jowdy	9 Granville Avenue	Danbury	CT	06810	
TOWN CLERK	Janice R Giegler	10 Old Hayrake Road	Danbury	CT	06811	
COUNCIL AT LARGE	Emile G Buzaid, Jr	7 Wilderswood Way	Danbury	CT	06810	
COUNCIL AT LARGE	Michael James Coelho	47 East Lake Road	Danbury	CT	06811	
COUNCIL AT LARGE	John J Esposito III	44 Fairfield Ave	Danbury	CT	06810	
COUNCIL AT LARGE	Michael J. Esposito	12 Fleetwood Drive	Danbury	CT	06810	
COUNCIL AT LARGE	Warren M. Levy	5 Pilgrim Drive	Danbury	CT	06811	
COUNCIL AT LARGE	Michael McGetrick	40 Candlewood Drive	Danbury	CT	06811	
COUNCIL AT LARGE	Joseph Putnam	60 East Lake Road	Danbury	CT	06811	
COUNCIL	Irving Matthew Fox	58 Wedgewood Drive	Danbury	CT	06811	
FIRST WARD	Michael J Masi	22 King Street	Danbury	CT	06811	
COUNCIL	Vinny DiGilio	6 Wixon Road	Danbury	CT	06811	
SECOND WARD	Elmer Palma	6 Shoreview Lane	Danbury	CT	06811	
COUNCIL	Jason "Jay" Eriquez	24 Old 40 Acre Nountain Rd	Danbury	CT	06811	
THIRD WARD	Michael E. Henry	11 Cornrassle Road	Danbury	CT	06811	
COUNCIL	Veasna Roeun	17 Valley View Drive	Danbury	CT	06810	
FOURTH WARD	Anthony P Rongetti	1 Wixted Ave	Danbury	CT	06810	

COUNCIL -	Nancy Cammisa	21 Aunt Hack Road	Danbury	CT	06811	Nancy Cammisa
SEVENTH WARD	Albert A. Russo	220 Franklin Street Ext	Danbury	CT	06811	Albert A. Russo
BOARD OF EDUCATION	Mary Cronin	83 Purcell Drive	Danbury	CT	06811	Mary Cronin
	Loren Daly	22 Spruce Mountain Rd	Danbury	CT	06810	Loren Daly
	Jesey F Fernandez	44 East Hayestown Rd #11	Danbury	CT	06811	Jesey F Fernandez
	Adam Horosky	11 New Light Drive	Danbury	CT	06810	Adam Horosky
	July C Miliano	1 Raymond Place, Unit 1C	Danbury	CT	06810	July C. Miliano
4 YEAR TERM	Richard J. Newley	3 Terrace St	Danbury	CT	06811	Richard J. Newley
2 YEAR TERM	Dennis Macauley	59 Judith Drive	Danbury	CT	06811	Dennis Macauley
	Meghan Testa	8 South Street # 12	Danbury	CT	06810	Meghan Testa
ZONING COMMISSION	Robert Botelho	3 Ridgewood Drive	Danbury	CT	06811	Robert Botelho
	Chris Cianflone	8 Cedar Street	Danbury	CT	06811	Chris Cianflone
Zone Alternative ->	Savannah Falzone	11 Ivy Lane	Danbury	CT	06811	Savannah Falzone
	Angela M. Hylenski	13 Firelight Drive	Danbury	CT	06810	Angela M. Hylenski
	Tracey A. Kydes	14 Deer Park Road	Danbury	CT	06811	Tracey A. Kydes
	Kurtish Lena	6 Taagan Point Road	Danbury	CT	06811	Kurtish Lena
	Robert C. Melillo	1 Lois Street	Danbury	CT	06811	Robert C. Melillo
	Thomas A Nejame	4 Huntington Drive	Danbury	CT	06811	Thomas A Nejame
	ESTEBAN Siguenza	85 West Wooster St	Danbury	CT	06810	ESTEBAN Siguenza

CONSTABLE	Erin M Domenech	6 Whitlock Street #3	Danbury	CT	06810	<i>Erin Domenech</i>
	Louise P. McMahon	3 Wedgewood Drive	Danbury	CT	06811	<i>Louise McMahon</i>
	Michael Safranek	24 Jackson Drive	Danbury	CT	06811	<i>Michael Safranek</i>

At a Special Meeting of the Danbury Republican Town Committee held on August , 2023 the above candidates were endorsed

Municipal Election to be held on November 7, 2023

A-05

*Veasna Roeun* 21 AUG 23

Veasna Roeun ,  
Chairman

*Independent Party of Danbury*

*Jennifer Dorin*

Jennifer Dorin, Secretary

*Independent Party of*

**Anthony Bruno**  
**75 Deer Hill Ave**  
**Danbury, CT 06810**

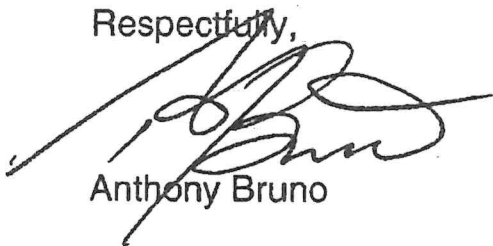
Independent Party of Danbury  
PO Box 2702  
Danbury, CT 06813

July 19, 2023

To Whom It May Concern:

I consent to having my name placed in nomination for the Independent Party's slate for the November 7th, 2023 municipal elections. I am being nominated for City Council – Ward 5

Respectfully,

A handwritten signature in black ink, appearing to read 'Anthony Bruno', is written over the word 'Respectfully,'. The signature is stylized with a large initial 'A' and a long horizontal stroke extending to the right.

Anthony Bruno

**Loren Daly**  
**22 Spruce Mountain Road**  
**Danbury, CT 06810**

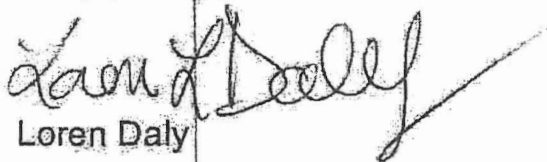
Independent Party of Danbury  
PO Box 2702  
Danbury, CT 06813

July 19, 2023

To Whom It May Concern /

I consent to having my name placed in nomination for Independent Party of Danbury's slate for the November 7th, 2023 municipal elections. I am being nominated for Board of Education.

Respectfully,

  
Loren Daly

**Richard J. Hawley  
3 Terrace Street  
Danbury, CT 06811**

Independent Party of Danbury  
PO Box  
Danbury, CT 06813

July 25, 2023

To Whom It May Concern:

I consent to having my name placed in nomination for the Independent Party's slate for the November 7th, 2023 municipal elections.  
I am being nominated for the Board of Education.

Respectfully,

A handwritten signature in black ink, appearing to read 'RJ Hawley', with a stylized flourish at the end.

Richard J. Hawley

Kurtish Lena  
6 Taagan Point Road  
Danbury, CT 06811

Independent Party of Danbury  
PO Box 2702  
Danbury, CT 06813

July 19, 2023

To Whom It May Concern:

I consent to having my name placed in nomination for the Independent Party's slate for the November 7th, 2023 municipal elections. I am being nominated for Zoning Commission.

Respectfully,

Kurtish Lena

A handwritten signature in black ink, appearing to be 'Kurtish Lena', written over a horizontal line.



**CITY OF DANBURY**  
**OFFICE OF THE TOWN CLERK**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**JANICE R. GIEGLER**  
**TOWN CLERK**

(203) 797-4531 PHONE  
(203) 796-8087 FAX

October 4, 2023

To Whom It May Concern:

I hereby certify that this is a true copy of a document which is on file in the Office of the Town Clerk of the City of Danbury.

Sincerely,


Lisa M. Todman, CCTC  
Assistant Town Clerk




# CERTIFICATION OF PARTY NOMINATIONS FOR MUNICIPAL OFFICE

TO: Town Clerk of **DANBURY**, Connecticut.

Pursuant to the attached Legal Notice published in the NewsTimes, it is hereby certified that at the **Independent Party Caucus** called for that purpose, held on **AUGUST 11, 2023**, at the **Maron Hotel, 42 Lake Ave., Ext., Danbury, CT**, by a majority vote, the persons listed on the **attached sheets** were nominated as candidates for election:

  
\_\_\_\_\_  
(Signed) Caucus Chair  
Justin Chan

|  August 15, 2023.  
(Signed) Secretary  
Gretchen Lombardi

RECEIVED FOR RECORD  
DANBURY TOWN CLERK

AUG 17 2023

DEFENDANT'S EXHIBIT	
Date	<input type="checkbox"/> FULL
	<input type="checkbox"/> ID
Initials	
Docket #	

## **Notice of Independent Party Endorsement Meeting**

**Date of Notice: 08/04/2023**

Pursuant to Connecticut General Statutes, the Independent Party hereby announces that the nomination of candidates – for the General Election of November 7, 2023 - will be held Friday, August 11, 2023, at 6:30pm, at Maron Hotel, 42 Lake Avenue Extension, Danbury, CT 06810.

NAME, ADDRESS, OFFICE, TERM,

SIGNATURE

Roberto Alves, 7 West Bredding Rd. Danbury, CT 06810 Mayor 2yr  
Jeffrey Tomchik 12 Quail Run Drive Danbury CT 06811 Council 7th Ward 2yr term  
Peter N Buzard 2 Ernie Drive, Danbury CT 06811 3rd Ward Council 2yr Term  
BARRY PICKERT 26 Schellhouse DR. Council LARGE 2yr Term  
Frank R Salvatore Jr. 1903 Revere Rd. Danbury CT 06811 3rd Ward City Council 2yr term  
Andrea Gartner 112 Deer Hill Ave 5th Ward City Council  
RICHARD M. JANNIELLI - 181 BENSON DR, DANBURY, CT 06810 Board of Education 2 years  
JORGE SOUSA 16 Oldforty Atremont Rd Council at Large 2 years  
GINA ALLADIN 104 LARSON DR DANBURY BOE 4 YRS  
Benjamin Chianese, 5 Briar Ridge Rd / City Council 6th Ward  
OLGA MESIA, 27 FAIRFIELD AVE, Zoning Commission  
TIM MARONEY 47 Abbott Ave Zoning Commission  
Jennifer O'Neill 5 Boat Rd Zoning Commission  
Diane LaPine 14 Lily DR. City Council at Large 2yr  
Duane E. Pelgin 22 Main St Danbury CT 5th Ward  
Cheryl Wallace Smith 17 Maura Lane Zoning / 2yr  
Jason Nova 1 Kennedy Ave Zoning Alternate / 2yr  
Michael Flanagan 35 Jefferson Ave Treasurer 2yr  
Glady's Cooper, 1 Southern Blvd, Danbury, CT BOE - 4 years  
Ryan Hawley 12 Rollins Rd City Council At Large  
Laurie Esposito 45 Pine Tree Danbury CT 06811 Town Clerk 2yr  
Kate Conetta, 4 Topheld Rd, BOE 4 yr term, Kate Conetta

(Signed) Caucus Chair

(Signed) Secretary

AUGUST 15th, 2023.

NAME, ADDRESS, OFFICE, TERM,

SIGNATURE

Joseph W. Britton, 14 Fairfield Ave, Council 4<sup>th</sup> Ward, 2 years

Scott C. Britton 14 Fairfield Ave Constable, 2 Years

Theodore S. Haddad, JR. 70 Judith Drive, Zoning Commission 2 years

SONIA P. NAVAS, 108-B Clapboard Ridge Rd, Council 1<sup>st</sup> Ward, 2 years

John C. Gagliuffino 129 Lake Place Danbury, CT 06810 Constable 2 yrs

JUANITA BUSH HARRIS 68 VIRGINIA AVE 4 years

Alexis Villaverdes 28 Lincoln Ave Zoning Commission 2 yrs

John Loughborough 5 Wyckham Hgts Danbury Ct. 06811

Ramona Austin 1003 Village Square City Council At Large - 2 Year term

Michelle H. James 20 Louis Allan Dr Zoning 2 years

Dennis R. Perkins SR 7 School House Dr Council 1<sup>st</sup> Ward 2 yrs

William M. Allister 5 Landon St Council - 4<sup>th</sup> Ward - 2 yrs

Shawn Ratchford 27 Schoolhouse Council At Large 2 years


Jacqueline Calarco 43 Kronze St Zoning 2 years

Emil Coladarsi 49 Hospital Ave Constable 2 years

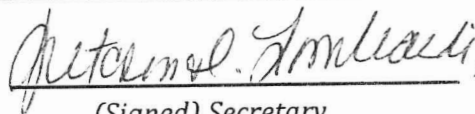
SIDNEY NAZARIO 11 CLARK ST DANBURY ZONING 2 YEARS

David Simone, 108 Avalon Lake Rd Danbury, Zoning Alt, 2 yrs

Richard Jowdy 39 Ball Pond Road Danbury, Zoning 2 yrs



(Signed) Caucus Chair



(Signed) Secretary

AUGUST 15<sup>th</sup>, 2023.



**CITY OF DANBURY**  
**OFFICE OF THE TOWN CLERK**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**JANICE R. GIEGLER**  
**TOWN CLERK**

(203) 797-4531 PHONE  
(203) 796-8087 FAX

October 4, 2023

To Whom It May Concern:

I hereby certify that this is a true copy of a document which is on file in the Office of the Town Clerk of the City of Danbury.

Sincerely,

A handwritten signature in cursive script that reads "Lisa M. Todman, Asst.".

Lisa M. Todman, CCTC  
Assistant Town Clerk

Independent Party of Danbury Town Committee

P.O. Box 2702  
Danbury, CT 06813

Janice R. Giegler  
Town Clerk  
155 Deer Hill Avenue  
Danbury, CT 06810

August 15, 2023

To Office of the Town Clerk,

As Chairman of the Independent Party of Danbury Town Committee, also known as Independent Party of CT State Central (IPctSC) and Independent Party of Danbury, I hereby formally and properly announce our party's caucus to nominate a slate of candidates on the Independent line for the 2023 Danbury municipal election.

The Independent Party of Danbury Town Committee will hold its caucus on Monday August 21, 2023 at 630PM. The location shall be inside the meeting room area of the Maron Hotel at 42 Lake Avenue Extension, Danbury, CT 06811.

If there are any questions or concerns, please contact me.

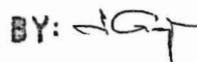
Respectfully,



Veasna Roeun  
Chairman, Independent Party of Danbury Town Committee

RECEIVED FOR RECORD  
DANBURY TOWN CLERK

2023 AUG 15 A 10:36

BY: 

A-16

DEFENDANT'S EXHIBIT	
Date	<input type="checkbox"/> FULL
C	<input type="checkbox"/> ID
	Initials
Docket #	



**CITY OF DANBURY**  
**OFFICE OF THE TOWN CLERK**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**JANICE R. GIEGLER**  
**TOWN CLERK**

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(203) 796-8087 FAX

October 4, 2023

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Sincerely,

*Lisa M. Todman, Asst.*

Lisa M. Todman, CCTC  
Assistant Town Clerk



## Independent Party of Danbury

### Minutes of Meeting

August 11, 2023

#### Executive Board

Chairman, Veasna Roeun

Secretary/Treasurer, Jennifer Dorin

Deputy Treasurer, Daniel Hatstat

The Chairman called the meeting to order at 6:42 pm.

The Chairman led the room in the Pledge of Allegiance.

The Chairman started to read our Meeting Rules but was challenged by Justin Chan as to who is allowed to vote.


The Chairman said we would need legal counsel to clarify who is allowed to vote. Immediately chaos ensued. The room was unruly.

Both the Chairman and Deputy Treasurer simultaneously made a motion to adjourn the meeting. The Secretary/Treasurer seconded the motion.

The Executive Board made the unanimous decision to adjourn the meeting.

The Chairman called the meeting adjourned at 6:46 pm.

*Jennifer Dorin, Secretary/Treasurer  
Independent Party of Danbury*

DEFENDANT'S EXHIBIT	
Date	<input type="checkbox"/> FULL
	<input type="checkbox"/> ID
Docket #	Initials
A-18	

RECEIVED FOR RECORD  
DANBURY TOWN CLERK

2023 AUG 14 A 8:54

BY: *[Signature]*





**CITY OF DANBURY**  
**OFFICE OF THE TOWN CLERK**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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Sincerely,

Lisa M. Todman, CCTC  
Assistant Town Clerk

# THE NEWS-TIMES

# CLASSIFIED

## MARKETPLACE

SOUTHERN CT JOBS

203-333-4151 | classifieds@hearstmediact.com | Hours: 8:30 a.m.-4:30 p.m., M-F | Major Credit Cards Accepted

### PUBLIC NOTICES

#### LEGAL NOTICE

On March 28, 2023, the Inland Wetlands Agent of the Town of Bethel, acting on behalf of the Bethel Inland Wetlands Commission, issued the following decision:

Approved: Application TAA-2023-02 of Berkshire Industrial Corporation, for agent approval for activities associated with a Site Plan Application for property located at 11 Parklawn Drive.

David McCollum, Inland Wetlands Agent.

#### LEGAL NOTICE

At the May 15, 2023 meeting of the Bethel Inland Wetlands Commission the following decisions were made:

Approved: Application 2023-03 of Steiner, Inc. for Permit to Conduct Regulated Activity (TBD) Benedict Road, 8, 9, 10 and 17 Millbrook Road.

Patrick Perrefort, Chairman

#### LEGAL NOTICE

At the June 13, 2023 meeting of the Bethel Planning & Zoning Commission the following decisions were made:

Approved: Application of Steiner, Inc. for Site Plan and Special Permit for Excavation and Fill Activities, (TBD) Benedict Road, 8, 9, 10 and 17 Millbrook Road

Approved: Application of Steiner, Inc. for Zoning Map Amendment, RT-6 to RT-6 + DCD Overlay, (TBD) Benedict Road, 8, 9, 10 and 17 Millbrook Road.

Ken Stevens, Chairman

#### Notice of Independent Party Endorsement Meeting

Date of Notice: 08/04/2023

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### DEFENDANT'S EXHIBIT

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		<input type="checkbox"/> ID
Docket #		Initials



**CITY OF DANBURY**  
**OFFICE OF THE TOWN CLERK**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**JANICE R. GIEGLER**  
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October 4, 2023

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Lisa M. Todman, CCTC  
Assistant Town Clerk

THE NEWS-TIMES

CLASSIFIED

MARKETPLACE

SOUTHERN CT JOBS

203-333-4151 | classifieds@hearstmediact.com | Hours: 8:30 a.m.-4:30 p.m., M-F | Major Credit Cards Accepted

GENERAL HELP WANTED

MECHANIC - Experienced F/T needed for large, landscape/site development co. Full knowledge of landscape equip/heavy mach & truck fleet from pick up's to tri-axel dumps. Call Lou 203-859-2583

ABSOLUTELY FREE

FREE 10 useablepressure treated 5/4 deck boards up to 16 ft 203-740-7946

MERCHANDISE FOR SALE

HOME XP 4100 Wireless all in one ink jet printer, 60S. Fujitsu scan snap s1500 scanner, 60S Please Call 203-426-6493

WANTED TO BUY

COSTUME JEWELRY WANTED

Bracelets, Necklaces, Rings Also Buying Gold & Silver SS CASH PAID SS (203) 589-1880

WANTED

CELEBRITY MEMORABILIA

Music, Sports, Politics Autographs, Posters Etc CONCERT T-SHIRTS 203-589-1880

APARTMENTS FOR RENT

DANBURY - 3 Room apartment, 1 Bedroom, Modern, Clean, Quiet 203-460-7734

DANBURY - \$1300, Second flr, bed apartment for rent, utilities not included 203-460-7178

DOMESTIC ANIMALS



AUSTRALIAN LABRADOODLES- 8 week old pups, 1st shots, health clearance and micro chip, DOB 6/16/2023 859-997-3701

VEHICLES FOR SALE

1966 BUWICK Skylark Convertible, Power steering, Power windows, Power brakes, Automatic, Excellent Original condition, no rust or rot. 69,000 miles. Light blue exterior, interior and top. 203-438-7740 Leave message will return call \$19,500

VEHICLES WANTED

CASH PAID FOR ANY TOYOTA, OTHER MAKES

Running or not, crashed ok, will take other makes/models, free pick up, call any time. (203)600-4431

DONATE YOUR CAR to Children with Special Needs Tax Deductible Free Towing 203-293-6474

JUNK CARS WANTED-

Title or no Title, CASH PAID ON SPOT, 203-967-7766

JUNK CARS WANTED

TOP PRICES PAID

1 HR. Pickup Service

Dell's Auto Wreckers

Phumtress Rd, Danbury

743-6779...743-6770

PROBATE NOTICES

Re: 731 Federal Rd. # Z-23-42 - Site Plan Modification

On July 19, 2023 the Zoning Enforcement Officer approved Site Plan Modification application #Z-23-42 to "to increase the parking to a total of 188 parking spaces. A total increase of 11 parking spaces."

LEGAL NOTICE

At the regular meeting of the Zoning Board of Appeals of the City of Danbury on Thursday, August 10, 2023 at 7:00 p.m., held at City Hall, the following decisions were made: Granted, per plan submitted: #23-11: 70 Zanol St., Lynch, Dan & Gibson, Melissa; (I22009), RA-20 Zone, Sec. 4 A.3, Reduce front-yard setback from 30' to 26'; reduce side-yard setback from 15' to 5' for addition. Granted, per plan submitted: #23-12: 24 Hillendale Rd., Castellano, Dennis & Lisann, (F08096), RA-40 Zone, Sec. 4 A.3, Reduce front-yard setback from 40' to 38' and reduce side-yard setback from 25' to 10' for new dwelling. Granted, per plan submitted: #23-13: 45 Van Rd., Adams Gail G., (H23024), RA-20 Zone, Sec. 4 A.3, Reduce side-yard setback from 15' to 12.4' for addition and 15' to 10.5' for front porch. Granted, per plan submitted: #23-14: 9 Long Ridge Rd., Henry, Elisabeth I Daniel; (J19013), RA-80 Zone, Sec. 3.G.3.C, Extend accessory structure 152 sq. ft. above current allowance for barn overhang. Joseph Hanna, Chairman

Notice of Independent Party of Danbury Caucus

Date of Notice: 08/16/2023

Pursuant to Connecticut General Statutes, the Independent Party of Danbury hereby announces that the nomination of candidates - for the Municipal Election of November 7, 2023 - will be held Monday, August 14th, 2023 at 6:30pm, at Maron Hotel, 42 Lake Avenue Extension, Danbury, CT 06811

DEFENDANT'S EXHIBIT

Date

G

☐ FULL  
☐ ID

Initials

Docket #



**SEEC FORM 2**

STATE ELECTIONS ENFORCEMENT COMMISSION

**Party Committee Registration**

Revised January 2016

**Received by SEEC**  
**07/20/2023 11:29 AM**

Page 1 of 3

<b>REGISTRATION TYPE</b> <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Amendment		<b>1. COMMITTEE NAME</b> Independent Party of Danbury		<b>2. ACRONYM</b>	
<b>3. SUBTYPE OF COMMITTEE</b> <input checked="" type="checkbox"/> Town Committee <input type="checkbox"/> State Central Committee		<b>4. PARTY AFFILIATION</b> <input type="checkbox"/> Republican <input type="checkbox"/> Democrat <input checked="" type="checkbox"/> Other (Specify) Independent Party			
<b>5. COMMITTEE ADDRESS</b> Address PO Box 2702 City Danbury State CT Zip Code 06813			<b>6. COMMITTEE EMAIL &amp; WEBSITE</b> Email Address  Website		
<b>7. CHAIRPERSON NAME</b> First Name Veasna MI Last Name Roeun Suffix					
<b>8. CHAIRPERSON RESIDENCE ADDRESS</b> Street Address 17 Valley View Dr City Danbury State CT Zip Code 06810			<b>9. CHAIRPERSON MAILING ADDRESS (If different)</b> Address  City  State  Zip Code		
<b>10. CHAIRPERSON TELEPHONE</b> (Include Area Code) 203 313 2656			<b>11. CHAIRPERSON EMAIL ADDRESS</b> irongray1b@yahoo.com		
<b>12. TREASURER NAME</b> First Name Jennifer MI Last Name Dorin Suffix					
<b>13. TREASURER RESIDENCE ADDRESS</b> Street Address 103 Long Ridge Rd City Danbury State CT Zip Code 06810			<b>14. TREASURER MAILING ADDRESS (If different)</b> Address  City  State  Zip Code		
<b>15. TREASURER TELEPHONE</b> (Include Area Code) 203 464 4277			<b>16. TREASURER EMAIL ADDRESS</b> msjd777@outlook.com		
<b>17. DEPUTY TREASURER NAME</b> First Name Daniel MI Last Name Hatstat Suffix					
<b>18. DEPUTY TREASURER RESIDENCE ADDRESS</b> Street Address 12 Pleasant Dr City Danbury State CT Zip Code 06811			<b>19. DEPUTY TREASURER MAILING ADDRESS (If different)</b> Address  City  State  Zip Code		
<b>20. DEPUTY TREASURER TELEPHONE</b> (Include Area Code) 203 981 3260			<b>21. DEPUTY TREASURER EMAIL ADDRESS</b> notgsxr@aol.com		

Making a false statement on this form may subject you to criminal penalties, including but not limited to, imprisonment for a term of up to two years, or a fine of up to two thousand dollars, or both.

CONNECTICUT STATE ELECTIONS ENFORCEMENT COMMISSION  
55 Farmington Ave., 2nd Floor, Hartford, Connecticut 06105

<b>DEFENDANT'S EXHIBIT</b>	
Date	<input type="checkbox"/> FULL <input type="checkbox"/> ID Initials
Docket #	

# SEEC FORM 2

Revised January 2016

Page 2 of 3

<b>REGISTRATION TYPE</b>	<b>COMMITTEE NAME</b>				
<input type="checkbox"/> Initial <input checked="" type="checkbox"/> Amendment	Independent Party of Danbury				
<b>22. ALTERNATE DEPUTY TREASURER NAME</b> <i>(State Central Committees ONLY)</i>					
First Name	MI	Last Name			Suffix
<b>23. ALTERNATE DEPUTY TREASURER RESIDENCE ADDRESS</b>			<b>24. ALTERNATE DEPUTY TREASURER MAILING ADDRESS</b> <i>(If different)</i>		
Street Address			Address		
City	State	Zip Code	City	State	Zip Code
<b>25. ALTERNATE DEPUTY TREASURER TELEPHONE</b>		<b>26. ALTERNATE DEPUTY TREASURER EMAIL ADDRESS</b>			
<i>(Include Area Code)</i>					
<b>27. DEPOSITORY INSTITUTION NAME</b>					
Savings Bank of Danbury					
<b>28. DEPOSITORY INSTITUTION ADDRESS</b>					
Address					
35 West Street, Danbury, CT 06810					
<b>29. CERTIFICATION</b>					
Chairperson					
<p>I hereby certify and state, under penalties of false statement, that all of the designations set forth in this party committee registration statement are true and accurate to the best of my knowledge and belief, and further, that this statement includes my certification to the fact that any individual designated herein to serve as the treasurer or deputy treasurer have indicated to me their acceptance of my appointment to such position.</p>					
<p style="text-align: center;">Veasna Roeun</p>				<p style="text-align: center;">07/13/2023</p>	
CHAIRPERSON SIGNATURE				DATE (mm/dd/yyyy)	
Treasurer					
<p>I hereby certify and state, under penalties of false statement, that I have accepted my appointment by the chairperson to serve as the designated Treasurer of this party committee. I certify that I am an elector in the State of Connecticut. I intend to comply with all the campaign finance registration and disclosure requirements as contained in Chapter 155 through 157 of the General Statutes, and to abide by any prohibitions, limitations or restrictions concerning campaign contributions and expenditures.</p>					
<p>I certify that I have paid any civil penalties or forfeitures assessed pursuant to Chapters 155 to 157, inclusive.</p>					
<p>I certify that I have not been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (A) felony involving fraud, forgery, larceny, embezzlement or bribery, or (B) criminal offense under Title 9 of the General Statutes, or that at least eight years have elapsed from the date of the conviction or plea or the completion of any sentence, whichever date is later, without a subsequent conviction of or plea to another such felony or offense.</p>					
<p>I certify that I am not otherwise barred from serving as a treasurer by order of the State Elections Enforcement Commission.</p>					
<p style="text-align: center;">Jennifer Dorin</p>				<p style="text-align: center;">07/13/2023</p>	
TREASURER SIGNATURE				DATE (mm/dd/yyyy)	

## SEEC FORM 2

Revised January 2016

Page 3 of 3

REGISTRATION TYPE	COMMITTEE NAME
<input type="checkbox"/> Initial <input checked="" type="checkbox"/> Amendment	Independent Party of Danbury

29. CERTIFICATION *continued*

Deputy Treasurer

I hereby certify and state, under penalties of false statement, that I have accepted my appointment by the chairperson to serve as the designated Deputy Treasurer of this party committee, and I understand and accept that, in the event of a vacancy caused by the treasurer's death, incapacity or resignation, I shall automatically become responsible for discharging all of the duties required of the vacating treasurer. In the event I am the deputy treasurer of a state central committee which has appointed an alternate deputy treasurer and there is a vacancy in treasurer, I shall automatically become jointly and severally responsible with the state central committee's other deputy treasurer for discharging all of the duties required of the vacating treasurer. I certify that I am an elector in the State of Connecticut. I intend to comply with all the campaign finance registration and disclosure requirements as contained in Chapter 155 through 157 of the General Statutes, and to abide by any prohibitions, limitations or restrictions concerning campaign contributions and expenditures.

I certify that I have paid any civil penalties or forfeitures assessed pursuant to Chapters 155 to 157, inclusive.

I certify that I have not been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (A) felony involving fraud, forgery, larceny, embezzlement or bribery, or (B) criminal offense under Title 9 of the General Statutes, or that at least eight years have elapsed from the date of the conviction or plea or the completion of any sentence, whichever date is later, without a subsequent conviction of or plea to another such felony or offense.

I certify that I am not otherwise barred from serving as a deputy treasurer by order of the State Elections Enforcement Commission.

Daniel Hatstat

DEPUTY TREASURER SIGNATURE

07/13/2023

DATE (mm/dd/yyyy)

Alternate Deputy Treasurer—*State Central Committees ONLY*

I hereby certify and state, under penalties of false statement, that I have accepted my appointment by the chairperson to serve as the designated Alternate Deputy Treasurer of this party committee, and I understand and accept that, in the event of a vacancy caused by the treasurer's death, incapacity or resignation, I shall automatically become jointly and severally responsible with the state central committee's other deputy treasurer for discharging all of the duties required of the vacating treasurer. I certify that I am an elector in the State of Connecticut. I intend to comply with all the campaign finance registration and disclosure requirements as contained in Chapter 155 through 157 of the General Statutes, and to abide by any prohibitions, limitations or restrictions concerning campaign contributions and expenditures.

I certify that I have paid any civil penalties or forfeitures assessed pursuant to Chapters 155 to 157, inclusive.

I certify that I have not been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (A) felony involving fraud, forgery, larceny, embezzlement or bribery, or (B) criminal offense under Title 9 of the General Statutes, or that at least eight years have elapsed from the date of the conviction or plea or the completion of any sentence, whichever date is later, without a subsequent conviction of or plea to another such felony or offense.

I certify that I am not otherwise barred from serving as a deputy treasurer by order of the State Elections Enforcement Commission.

ALTERNATE DEPUTY TREASURER SIGNATURE—*State Central Committees ONLY*

DATE (mm/dd/yyyy)

NO: DBD-CV23-6047566-S : SUPERIOR COURT  
ROBERTO ALVES : JUDICIAL DISTRICT  
OF DANBURY  
v. : AT DANBURY, CONNECTICUT  
JANICE GIEGLER, TOWN CLERK  
FOR THE CITY OF DANBURY : OCTOBER 5, 2023

AM PROCEEDING UNTIL MORNING RECESS

BEFORE THE HONORABLE MAXIMINO MEDINA, JR., JUDGE

A P P E A R A N C E S :

Representing the Plaintiff:

ATTORNEY CHRISTOPHER MATTEI  
Koskoff Koskoff & Bieder PC  
350 Fairfield Avenue  
Bridgeport, Connecticut 06605

Representing the Defendant Janice Giegler:

ATTORNEY PROLOY DAS  
Ford & Harrison LLP  
185 Asylum Street  
Hartford, Connecticut 06103

ATTORNEY CANDICE FAY  
118 Coalpit Hill Road  
Danbury, Connecticut 06810

Representing the Defendant Veasna Rouen:

ATTORNEY EUGENE GLOUZGAL  
304 Federal Road  
Brookfield, Connecticut 06804

Recorded By:  
Laurie Pomazi

Transcribed By:  
Amy Anderson  
Official Court Reporter  
70 Huntington Street  
New London, Connecticut 06320



J A N I C E G I E G L E R,

Having been first duly sworn, was called upon as a witness and was examined and testified under oath as follows:

THE CLERK: Please state your name and business address for the record.

THE WITNESS: Jan Giegler, 155 Deer Hill Avenue.

THE CLERK: Thank you.

THE COURT: All right. Counsel, you may begin your cross-examination.

ATTY. DAS: Thank you, Your Honor.

CROSS-EXAMINATION BY ATTY. DAS:

Q Good morning, Ms. Giegler. I think it's your third day on the stand. I want to commend you on your endurance. Let me start back from the beginning. Can you describe what your position is for the City of Danbury.

A Town Clerk.

Q And how long have you had that position?

A Eight years.

Q And as the Town Clerk, what are some of your duties?

A The elections and then also the vital records. We're in charge of marriages, births, deaths, and DD-214s for the military. We do liquor permits, oversee the justice of the peaces, oversee the boards and commissions' minutes and agendas. Also do the oaths, resignations, and appointments for any city positions and we -- I am the receiver of any lawsuits that come into the city as the intermediary for the

corporation counsel.

Q Thank you. And you mentioned elections. Can you tell us in this role how many elections you've been involved in?

A Probably about 12.

Q And have those all been municipal elections?

A Municipal, state, and referendums or bond.

Q And are you familiar with the Independent Party of Danbury?

A I am.

Q And what's your basis for your familiarity with the Independent Party of Danbury?

A It's the minority party for the City of Danbury.

Q Do you keep a file for the Independent Party of Danbury?

A I do.

Q Are there documents in that file that identify who the officers are in the Independent Party of Danbury?

A Yes. I have a SEC file for who the officers are for the Independent Party.

Q And do you have files on any of the other registered parties in Danbury?

A Yes. I have one for the Democratic Party and I have one for the Republican Party.

Q What about other minor parties?

A Just the Independent Party of Danbury.

Q And where do you keep all that information?

A We have a file that's for the political parties and there are by-laws.

Q How about for general election material? How are those -- do you keep files for general election materials?

A Yes.

Q And how are those kept?

A There's files for each election so I have one for this year. There will be one for 2023; it's a drawer designated just for the election.

Q So you do have an election file specifically for 2023, correct?

A I do.

Q I'm going to show you Defense Exhibit A which has been marked as Defense Exhibit A for Identification.

ATTY. DAS: May I approach, Your Honor?

THE COURT: Yes.

ATTY. DAS: Thank you. The clerk is preparing you -- presenting that to you.

Q Do you recognize this document?

A Yes.

Q And when was it received by the Town Clerk?

A August 23<sup>rd</sup>.

Q How can you tell?

A It's date-stamped by my office.

Q Did you retain this document?

A Yes, we did.

Q Where?

Q And -- you said on the 17<sup>th</sup>. Did you retain this document?

A I did.

Q And where?

A It's in the election file.

ATTY. DAS: And Your Honor, under 9-3, I would move admission. Again, this is previously admitted as Plaintiff's Exhibit 2.

ATTY. MATTEI: No objection.

THE COURT: All right. And is this a duplicative one already in?

ATTY. DAS: It is. Plaintiff's Exhibit 2, Your Honor.

THE COURT: All right. So Defendant's Exhibit B is a full exhibit, no objection, and it is the same as Plaintiff's Exhibit 2.

Thank you for the bench copy.

Q I'd like to now present you with a copy of what's been marked for identification as Defense Exhibit C. And can you tell us if you recognize this document?

A Yes.

Q And can you describe what it is.

A It's dated August 15<sup>th</sup> and it states that the Danbury Independent Party would be holding a caucus on Monday, August 21<sup>st</sup>.

Q And when was this received by the Clerk's Office?

A On the 15<sup>th</sup> of August.

Q And did you retain this document?

A We did.

Q Where did you retain it?

A In the elections file.

ATTY. DAS: Your Honor, I would move admission under 9-3 of Defense Exhibit C.

THE COURT: Any objection?

ATTY. MATTEI: No, Your Honor.

THE COURT: Defendant's Exhibit C is a full exhibit.

Q And if I could refer you again to Defense Exhibit C, reviewing this document, you retained it. Did it have any significance to you?

A Yes, it did. It showed that the caucus had not been held yet to appoint the candidates.

Q Did the document set forth when the caucus was to be held?

A It did. It stated that it was going to be held on Monday, August 21<sup>st</sup>.

Q And again, was this retained in the election file?

A It was.

Q Thank you. I'm now going to present you with what's been identified as Defense Exhibit D. And do you recognize this document?

A I do.

Q And can you describe what it is?

A It was received in my office on August 14<sup>th</sup> and it's

the minutes of the meeting that was held by the Independent Party of Danbury on August 11<sup>th</sup>.

Q And did you retain this document?

A I did.

Q Where did you retain it?

A In the election file.

ATTY. DAS: Your Honor, I'm going to move admission under 9-3.

THE COURT: Any objection?

ATTY. MATTEI: No, Your Honor.

THE COURT: All right. Counsel, just for the clarity of the record and for myself, when you ask the witness did you retain, you mean the Town Clerk's office?

ATTY. DAS: Town Clerk's office. Thank you for the clarification.

Q Can you clarify, please, whether it was you personally or the Town Clerk's office that retained the documents?

A It was the Town Clerk's office that retained it.

Q And it was retained in the official Town Clerk file?

A Yes, it was.

Q Thank you.

THE COURT: Defendant's Exhibit D is a full exhibit, no objection. It is not duplicative of any previous exhibit.

Q And reviewing this document, did it have any

significance to you?

A Yes.

Q And what was that significance?

A The significance was that there was a meeting held on August 11<sup>th</sup> and that the Executive Board adjourned their meeting by unanimous decision and that there was no movement on any candidates being nominated at this meeting.

Q And on what date was that received by the Town Clerk's office?

A It was received by the Town Clerk on August 14<sup>th</sup>.

Q I am now going to show you two documents. They are labelled Defense Exhibit F and Defense Exhibit G. Do you recognize Defense Exhibit F and do you recognize Defense Exhibit G?

A Small print. Yes. F is a notice of Independent Party endorsement meeting that was published in the *News-Times*.

Q And can you describe what date Defense Exhibit F's publication took place and for what meeting?

A The notice was set on August 4<sup>th</sup> and it was to announce that the nomination of candidates would be held on August 11<sup>th</sup>.

Q And then can you describe Defense Exhibit G? The date of the notice and the --

THE COURT: I don't think you asked her what G was yet.

ATTY. DAS: Pardon me.

Q Can you please describe Defense Exhibit G.

A It is a legal notice published in the *News-Times*.

Q And can you provide us with the relevant dates set forth in that notice.

A The date of notice was August 16<sup>th</sup> and it was announcing that the nomination of candidates for the election for the caucus - it was for the caucus - would be held on Monday, August 21<sup>st</sup>.

Q And are both of these documents maintained in the Town Clerk's office?

A Yes, both are in the election file in the Town Clerk's office.

ATTY. DAS: Thank you. I would move admission under 9-3.

THE COURT: Any objection?

ATTY. MATTEI: No objection.

THE COURT: All right. Defendant's Exhibits F and G are full exhibits. Thank you.

Q If I could present you with what's been marked for identification as Defendant's Exhibit H. Do you recognize this document?

A Yes, I do.

Q Would you describe what it is?

A It's the SEC form that was filed in the Secretary of State's office on behalf of the Independent Party of Danbury which identifies who the officers are for the Independent Party of Danbury.



Q So is it your understanding this is an officially filed document with the State Elections Enforcement Commission?

A Yes, as it's stamped received by them on July 20<sup>th</sup>, 2023.

Q And is this document held in your office?

A It is.

Q Can you describe which file?

A It's in the political party file.

ATTY. DAS: I would move admission, Your Honor.

THE COURT: Any objection?

ATTY. MATTEI: No, Your Honor.

THE COURT: Thank you.

Q Does this document provide --

THE COURT: One second. Defendant's Exhibit H is a full exhibit. Let me take a look before you go on.

Please continue, Counsel.

Q Did this document provide any relevant information to you?

A This is the H one I just had?

Q Correct.

A Yes, it's relevant in that it identifies who the chairperson is for the Independent Party of Danbury.

Q So if I could -- I'm done with that Exhibit. You can give that back to the clerk. Thank you. So to recap, when you received the 8-17 endorsements, is it fair to say the

THE COURT: I'm not asking you to testify.

ATTY. DAS: Let me ask.

Q What did you infer from Exhibit D in terms of nominations for the Independent Party?

A The sentence that said the chairmen said we would need legal counsel to clarify who was allowed to vote and then it said immediately cast ensued and then both the chairmen and deputy treasurer simultaneously made a motion to adjourn the meeting and it made the unanimous decision to adjourn the meeting.

Q And subsequent to that, the next day you received Defense Exhibit C; is that correct? And if I ask the question -- Defense Exhibit C to remind you what that document may be.

A Yes, I received that on August 15<sup>th</sup>.

Q Looking at C and D in the file, what information did that provide you in terms of the status of the Independent Party of Danbury's endorsements?

A The minute -- the letter that I received on the 15<sup>th</sup> stated that the Independent Party would be holding their caucus on the 21<sup>st</sup> to formally and properly announce the party's caucus to nominate a slate of candidates on the Independent line 2023.

Q So it's your understanding from these documents that no endorsement was to happen before 8-21; is that correct?

A Correct.

Q I'm going to show you Defense Exhibits A and B again.

In comparing A and B, I believe A has a signature and B does not, is that correct, on the Town Clerk's receipt?

A Correct.

Q Why does one have a Town Clerk's signature and one not?

ATTY. MATTEI: I'm sorry, Your Honor. Just for clarification. I think Counsel's referring to the initial on the date stamp.

A Could you repeat that?

Q Okay. For clarification, one is initialed by the Town Clerk's office and one is not; is that correct?

A Yes.

Q Can you apprise us of why there's a distinction between the two?

A Well, one is initialed because it was accepted as a valid document and the other was received for record as we're required to receive for record with a date stamp and we were advised by Secretary of State that we could receive it for record and just date stamp.

Q Okay. So as I understand it, so 8-22 -- the 8-17 filing that you have which is Defense Exhibit B was determined to be invalid upon filing?

A Correct.

Q And Defendant's Exhibit A dated 8-22 was determined to be valid upon filing?

A Correct.

Q And that's confirmed by the initials on the document?

A The first one?

Q The Defense Exhibit B, the 8-17 submission. Did you understand Mr. Button to be advising you to deem that document valid?

A No.

Q Why did you submit Defense Exhibit A which is the 8-22 submission - the candidates on the defense 8-22 - to the Secretary of the State and not Defense Exhibit B which is the list of the 8-17 submission to the Secretary of State?

A Well, based on the fact that the -- of the previous notifications that I had received, the one that stated the August 14<sup>th</sup> which is D, the one I received which is C on August 15<sup>th</sup>, and based on Exhibit F which is both of the notices that appeared in the *Darien News-Times*, that this document that received on the 17<sup>th</sup> had -- their submission was not valid.

Q So is it fair to say you determined that only valid submission had been made?

A I did.

Q Have you ever submitted documents to the Secretary of State's office that you considered not to be valid?

A No.

Q So when you submitted the 8-23 submission, did you believe you were doing your official duties as the Town Clerk?

A Yes, I did.

Q I'm going to show you Defense Exhibit 5 now. It's

been premarked as Defense Exhibit 5. I'm sorry, E. Do you recognize -- do you recognize Defense Exhibit E?

A Yes.

Q Can you describe what it is.

A It's the ballot that by statute that I had to submit to the Secretary of State's office.

Q Is this a document that's maintained in the Town Clerk's office?

A Yes.

ATTY. DAS: I'm going to move admission.

THE COURT: Any objection?

ATTY. MATTEI: Just one moment, Your Honor.

No objection, Your Honor.

THE COURT: All right. Defendant's Exhibit E is a full exhibit. Let me have one moment, please. Thank you.

Q So can you tell --

THE COURT: One moment, please.

ATTY. DAS: Sorry, Your Honor.

THE COURT: So what I've been -- are these duplicates?

ATTY. DAS: No, Your Honor. The first set up until the last page are separate for each different district - polling district - and then the last page is the back side that's common to all of the front.

THE COURT: All right. So for the record, Defendant's Exhibit E, full exhibit, no objection, is

a six-page document. Did I count correctly? I think it's six pages, the first of which looks like it's eight-and-a-half by fourteen and the following five pages eleven-by-seventeen, but they're large or something like that.

And you may now continue, Counsel.

ATTY. DAS: Thank you, Your Honor.

Q Are there candidates listed on the Independent Party line on the current ballot?

A Yes.

Q Can you tell how many?

A There are 47.

Q If I were to ask you about the one percent ballot access rule, would you know what that was referring to?

A Yes.

Q Could you please describe that.

ATTY. MATTEI: Objection, Your Honor; relevance.

THE COURT: What's the relevance, Counsel? I'll give you a chance.

ATTY. DAS: I think it's relevant to the impact of the decision to eliminate the line.

ATTY. MATTEI: Objection; irrelevant.

THE COURT: But the one-percent rule is not in this case. It's not in any of the pleadings. I haven't heard any previous evidence on this.

ATTY. DAS: That's why I'm asking her to describe the one-percent rule, if I may.

THE COURT: Sustained.

Q If you had not submitted candidates for the Independent line to the Secretary of State's office, what is your understanding of the ramifications likely?

ATTY. MATTEI: Objection; relevance.

THE COURT: Overruled.

Q What would be the effect, in your opinion, if you had not submitted names to the Secretary of State's office for the Independent Party?

A The Independent Party of Danbury would -- they'd lose their line and they would have to petition to get on it again in 2025.

Q Do you have a sense of how many registered Independent Party members there are in Danbury?

ATTY. MATTEI: Objection, Your Honor; relevance.

THE COURT: Now we're going too far. Sustained.

ATTY. DAS: I don't have any further questions, Your Honor. Thank you.

THE COURT: All right. Thank you, Counsel. Redirect.

ATTY. MATTEI: I think Attorney --

THE COURT: Oh, I'm sorry. Forgive me. I assumed a unity of purpose, if not formal.

ATTY. GLOUZGAL: I only have a few questions, Your Honor, that's why.

THE COURT: All right. No, no. Please, go right ahead, Counsel.

Q I'm not asking you about whether -- is this just a practice in your office or do you do this because you believe you're required by law to initial documents you believe to be valid and to not initial documents you believe to be invalid?

A It's a practice that we initial and accept those that we know are valid.

Q And you refuse to initial documents that you suspect might be invalid?

A Yes.

Q And that's just your practice in your office?

A It's always been the practice in that office.

Q And just to be clear, it was you who instructed your deputy on August 17<sup>th</sup> not to initial the document, correct?

A Correct.

Q All right. Going to the minutes. You testified about this yesterday, but they were not offered yesterday. This is Exhibit D. Do you have Exhibit D in front of you?

A Yes.

Q Okay. And here I believe your testimony was that because you didn't see any reference to nominations having been made, you inferred from this document that there had been no nominations, right?

A Correct.

Q And you chose to credit that based solely on the document, correct?

A If I could just have a minute to look at this.



to you on August 17<sup>th</sup>?

A Yes, because I'm the keeper of records.

Q Okay. So you believe that you were bound by that, but I take it that your testimony is you didn't believe you were bound by any other advice he gave you in that email?

A As we referred to that they -- the Secretary of State's office did not have jurisdiction over municipal endorsements.

Q Okay. So just -- in answer to my question, your testimony is you did not believe that you were bound by any other advice he gave you in this email?

A Other than accepting it, no.

Q Okay. And you made that decision on your own, correct?

A Yes.

Q Okay. And getting back to the email that is in as Defense Exhibit F, email from Justin Chen, you have that before you?

ATTY. DAS: Your Honor, just to clarify the record, I believe it's Defense Exhibit I.

ATTY. MATTEI: Oh, I'm sorry. It was marked as F on mine. Did I mess that up? I'm sorry.

Q Defense Exhibit I. It's the email from Mr. Chan to you. It may have wandered away.

THE CLERK: Your Honor, you have the court original.

THE COURT: I do. Guilty.

THE COURT: Yes.

Q And on the ballot that you had presented with, which is Defense Exhibit E, and you go down to the Independent Party line and you're the third candidate listed there, correct?

A Correct.

ATTY. MATTEI: No further questions, Your Honor.

THE COURT: Any --

ATTY. DAS: Yes, Your Honor. I'm going to be very brief. I want to pick up on the conflict of interest that Attorney Mattei was discussing.

RE CROSS EXAMINATION BY ATTY. DAS:

Q You testified that on September 18th, you sent a list of endorsements of Independent candidates to the Secretary of State; is that correct?

A I did.

Q And why did you not delegate that to someone else in the Town Clerk's office?

A 'Cause the other people in my office don't know how to use the system.

Q Is it your understanding as Town Clerk that it's your public duty to submit endorsed candidates to the Secretary of State?

A Yes.

Q To your knowledge, is that true of other Town Clerks?

ATTY. MATTEI: Objection, Your Honor.

THE COURT: Sustained.

Q If you were not on the ballot, would you have submitted names to the Secretary of State?

ATTY. MATTEI: Objection, Your Honor.

THE COURT: Overruled.

Q I'll repeat the question.

A Yeah.

Q If you were not a candidate in the 2023 election, would you have submitted names to the Secretary of the State?

A Yes.

Q If you were not in the Independent Party line and only on the Republican Party line, would you submit the endorsements to the Secretary of State's office?

A Yes.

Q So in your view, the fact that you are a candidate in 2023 does not prevent you or restrict you from doing your job as the Town Clerk?

A Correct.

Q And just to be clear, the date was September 28th -- September 18th when those names were submitted?

A I believe so. The deadline was the 19th.

Q And to be clear, Defense Exhibit B, which is the 8-17 submission, on that date, did you determine that there was a valid submission from the Independent Party?

A Repeat that.

Q On that date, did you determine that there was a valid submission from the Independent Party on 8-17?

A No.

Q And on 8-22 when you received a submission from the Independent Party --

ATTY. MATTEI: Objection, Your Honor. Beyond the scope.

ATTY. DAS: I'll wrap it up. Two questions, Your Honor.

THE COURT: I'm going to overrule this one, but I think both sides now are trying to expand the playing field, so...

ATTY. DAS: Two questions, Your Honor.

THE COURT: Quickly.

Q When you received Defendant's Exhibit A on August 23rd, did you believe that you had a valid submission?

A Yes.

Q So on September 18th when you transmitted the names to the Secretary of State, you believed you only had one submission of valid endorsements; is that correct?

A Yes.

ATTY. DAS: I don't have any further questions, Your Honor. Thank you.

THE COURT: Counsel?

ATTY. GLOUZGAL: Yes, Your Honor.

RE CROSS EXAMINATION BY ATTY. GLOUZGAL:

Q Ms. Giegler, I'd like to draw your attention back to Defense Exhibit J, the email from Mr. Riefberg. Do you have that in front of you?

NO: DBD-CV23-6047566-S : SUPERIOR COURT

ROBERTO ALVES : JUDICIAL DISTRICT  
OF DANBURY

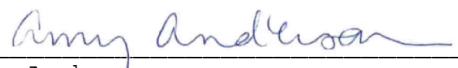
v. : AT DANBURY, CONNECTICUT

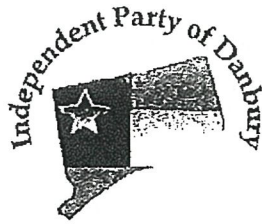
JANICE GIEGLER, TOWN CLERK  
FOR THE CITY OF DANBURY : OCTOBER 5, 2023

C E R T I F I C A T I O N

I hereby certify the electronic version is a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Danbury, Danbury, Connecticut, before the Honorable Maximino Medina, Judge, on the 5th day of October, 2023.

Dated this 5th day of October, 2023 in New London, Connecticut.

  
\_\_\_\_\_  
Amy Anderson  
Official Court Reporter



## Independent Party of Danbury Town Committee

Office of the Secretary of the State  
State of Connecticut  
30 Trinity Street  
Hartford, CT 06106

JUL 19 12:13

July 11, 2019

Perry Salvagne  
Chairman

Secretary of the State of Connecticut,

Cameron R. Rinaldi

Treasurer

Committee Clerk

Secretary

Dem. Treasurer

As directed by the SEEC and based on the ruling of the superior court, the Independent Party of Connecticut—SC is now the Independent Party of Danbury Town Committee. Enclosed, we have included the Committee Bylaws for filing. Please note the bylaws filed September 27, 2006 continue to be the ruling bylaws of the committee.

If there are any questions or concerns, please contact me.

Thank you.

Regards,

Perry Salvagne

Chairman, Independent Party of Danbury  
Town Committee

IPD-BOX 2702

Danbury, CT 06813

independentpartyofdanbury  
@gmail.com

RECEIVED FOR RECORD  
DANBURY TOWN CLERK

2023 AUG 14 A 10:17

BY: KC



**INDEPENDENT PARTY OF CT.**  
c/o 79 1/4 North Street, Danbury, Ct. 06810

SECRETARY OF THE STATE  
LEGISLATION & ELECTIONS  
ADMINISTRATION DIVISION

**Party Rules: Amended**

In accordance with the rules of the Independent Party of Ct. formerly named the Unaffiliated Party of Ct., and hereafter abbreviated as (IPCt), the State Central Committee of the IPCt, hereafter abbreviated as (IPCtSC) and consisting of those persons listed on the most recent Ct. Form ED-48-Party Committee's Registration, adopts the following rules for the establishment of local committees and the nomination of candidates:

**1. Local Committees:**

A. Local committees may be organized for any region containing at least one municipality. Each local committee must send its proposed rules to the IPCtSC for approval, which approval shall require at least a two-thirds vote of the IPCtSC. Once its rules are approved the local committee shall have permanent existence until dissolved.

B. The IPCtSC shall have the right to dissolve a local committee by at least a two-thirds vote of such committee, for actions contrary to the principles of the IPCt. The IPCtSC shall have the power to resolve jurisdictional disputes between local committees by at least a two-thirds vote.

**2. Nominations:**

A. **Party Candidates:** No IPCt member shall seek ballot status in a general election as a candidate of the IPCt without first being nominated under the provisions of this article.

B. **Local committees:** A local committee of the IPCt may nominate candidates for any office whose electoral district falls within its jurisdiction. Such nominations shall be subject to a veto by at least a two-thirds vote of the IPCtSC.

C. **Special Party Meetings:** A special IPCtSC meeting called for that purpose by the IPCtSC may nominate any candidates for any office for which no candidate has been nominate by a local committee and to conduct any other Party business.

D. **State Central Committee of the Independent Part of Ct.** The IPCtSC may, by at least a two-thirds vote, nominate candidates for any office for which no nomination has been made under A, B, or C. and for any State or Federal Office.

E. **Presidential campaigns:** During each Presidential election, the IPCtSC shall by at least a two-thirds vote nominate candidates of the IPCt for President and Vice-President of the U.S.

F. **Caucuses:** Those eligible to make nominations and to vote for nominees for political office at State of Ct. State Statute required caucuses are those who are registered to vote under the Party designation Independent, and those who are registered other than Independent whose campaigns are being and/or have been funded solely by, and reported for, on required Ct. State B4 forms by the IPCt for State and/or Municipal Elections and are being/or have been on Municipal and/or State election ballot of the IPCt since 2006, under the designation Independent

G. **Party Rules Changes:** Party Rules of the IPCt can be amended at a special meeting, described in 2C above, of the IPCtSC by at least a two-thirds vote of the IPCtSC.

The above rules were passed unanimously at the meeting of the State Central Committee of the Independent Party of Ct. 09/27/06

John L. Dieter, Chairman

Donna L. LaFrance, Treasurer

Robert Fand, Deputy Treasurer



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